



**REGULAR MEETING AND SPECIAL PUBLIC HEARING OF THE  
NORTH BEND PLANNING COMMISSION  
Wednesday November 20, 2024, 6:30 PM  
City Hall, 920 SE Cedar Falls Way, North Bend, WA**

**AGENDA**

- 1) Call to order and roll call, Planning Commission**
- 2) Opportunity for public comment on non-agenda items**
- 3) Approval of minutes from October 16, 2024**
- 4) Public Hearing, Discussion and Recommendation for NBMC Amendment related to 2024 Comprehensive Plan.**
- 5) Adjournment by 8:30 unless otherwise approved.**

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

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

Zoom Meeting Information:  
To Sign Up for a Zoom Account: <https://zoom.us/join>  
Join Zoom Meeting  
<https://us02web.zoom.us/j/84069345990?pwd=SE9IM3Y3ZmJRNThrSUIMRFhINVZHUT09>  
Meeting ID: 840 6934 5990  
Passcode: 317193  
Call In Phone Number: 1-253-215-8782

**REGULAR MEETING AND SPECIAL PUBLIC HEARING OF THE  
NORTH BEND PLANNING COMMISSION  
- ACTION MEETING MINUTES -  
Wednesday, October 16, 2024, 6:30 PM**

This meeting was held at City Hall, 920 SE Cedar Falls Way, North Bend, WA, and was also available online. A complete video recording of this meeting is available on the City of North Bend YouTube website, at [www.youtube.com](http://www.youtube.com), under "City of North Bend."

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

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

## ROLL CALL

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

City Staff Present: Jamie Burrell, Senior Planner

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

#### AGENDA ITEM

AGENDA ITEM #3: Approval of minutes from September 18, 2024 meeting

Motion by Commissioner White seconded by Commissioner Matlock, to approve the September 18, 2024 meeting minutes. The motion passed unanimously.

## **AGENDA ITEM #4: Public Hearing for NBMC Amendment related to Transitional Housing and Permanent Supportive Housing**

Senior Planner Jamie Burrell provided a summary of the amendments.

Public Hearing opened: 6:39 p.m. No one spoke.

Public Hearing opened: 5:55 p.m.  
Public Hearing closed: 6:39 p.m.

AGENDA ITEM #5: Planning Commission Recommendation for Item (4)

Planning Commission motion to approve by Commissioner White, seconded by Commissioner Pereira. The motion passed unanimously.

**AGENDA ITEM #6: Adjournment by 8:30 PM unless otherwise approved by the Commission**

The Meeting was adjourned at 6:40p.m.


# City of North Bend Official Zoning Map



0 250 500 1,000 1,500  
Feet

BP	Business Park	NMU	Neighborhood Mixed Use
CLDR	Constrained Low Density Residential	NB	Neighborhood Business
DC	Downtown Commercial	POSPF	Parks/Open Space or Public Facilities
EP	Employment Park	Master Plan Overlay	
HDR	High Density Residential	East North Bend Master Planning Overlay	
IC	Interchange Commercial	Tanner Junction Master Planning Overlay	
IMU	Interchange Mixed Use	Urban Growth Area Boundary	
LDR	Low Density Residential (4 Units/Acre)	North Bend City Limit	
MDR	Medium Density Residential		

**DRAFT**





**Staff Report and Planning Commission Recommendation  
To Amend the City's Official Zoning Map and NBMC amendments related to the 2024  
Comprehensive Plan Update**

**Meeting Date:** November 20, 2024

**Proponent:** City of North Bend

**Staff Recommendation:** A Motion to recommend City Council approval of the proposed amendments to the Official Zoning Map and NBMC Amendments to ensure consistency with the changes proposed in the 2024 Comprehensive Plan.

**I. Purpose of Proposed Municipal Code Amendments:**

Amendments are proposed to the Official Zoning Map and North Bend Municipal Code including the following:

1. Revisions to the Official Zoning Map consistent with the City of North Bend's 2024 Comprehensive Plan update, per NBMC 18.08.
2. Revisions to North Bend Municipal Code 18.10, Zoning District; Table 18.10.030 Permitted and Conditional Uses, Table 18.10.050 Performance Standards renaming several zones as suggested in the Comprehensive Plan (NB-2 to NB, EP-1 to EP, NB to Neighborhood Mixed Use, EP-2 to Business Park, and Cottage Residential to Medium Density Residential).
3. Footnotes to Table 18.10.030 to allow residential above ground floor uses at the outlet mall, and to allow Research and Development Facilities, Multi-Tenant Industrial Park and Warehousing and Distribution on limited parcels proposed for Neighborhood Mixed Use which were Employment Park 1 to reduce existing non-conforming uses.
4. Height allowance increased from 30' to 35' for IMU zone to accommodate mixed use projects.

**II. Proposed Amendments**

Proposed amendments are attached and include changes to Title 17 and 18 for consistency with changes made in the Comprehensive Plan. These include zoning name changes primarily.

**III. 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 and Zoning Map 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.

#### **IV. 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 ensure compliance and consistency with the Comprehensive Plan.

#### **V. 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.

#### **VI. 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.*

**VII. Summary Findings:**

1. The Planning Commission will consider the proposed amendments and held a public hearing on the draft regulations at their November 20, 2024 meeting. Any comments received will be noted here.
2. The Planning Commission voted to approve the amendments at their \_\_\_\_\_ meeting.
3. Pursuant to RCW 36.70A.106, the draft regulations were forwarded to Commerce - Growth Management Services on November 6, 2024 with expedited review requested.
4. A SEPA Determination of Non-Significance was issued November 8, 2024 with comment period ending November 25, 2024. Any comments received will be forwarded to CED Council Committee for review.
5. The proposed amendments are consistent with the procedures established in NBMC 20.08, *Comprehensive Plan and Development Regulations Amendment Procedures*. The Planning Commission finds that the proposed amendments are consistent with the criteria in NBMC 20.08.100(B) and would result in a net benefit to the community.

**Staff Recommendation:**

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

**Planning Commission Recommendation:**

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

## **NBMC TITLE 17 AND 18 AMENDMENTS**

### **17.25.010 Purpose.**

The purpose of the residential recreation and common open space requirements provided in this chapter is to provide standards for the creation and maintenance of park and common open space areas and trails in conjunction with new development that will protect the health, safety, and general welfare of the public, enhance property values, improve quality of life and the appearance of the community, facilitate pedestrian and bicycle mobility, provide accessibility to recreation improvements by people of all abilities, and preserve natural areas. The requirements will be applied to all new development containing a residential component of five or more units. Residential and common open space requirements applicable to cottage developments (including all ~~cottage residential~~medium ~~residential~~ zones) shall be provided as set forth in Chapter 18.11 NBMC, with the exception of trail requirements, which are set forth in NBMC 17.25.065.

### **18.06.030 Definitions.**

...

C. “C.”

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18. “Cottage housing development” means a development containing single-family cottages and may include a percentage of carriage units and two-unit homes as authorized under the provisions set forth in Chapter 18.11 NBMC, ~~Cottage Residential~~Medium ~~Residential~~. The development site is designed with a coherent concept in mind with shared functional open space and facilities.

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### **18.08.020 Boundaries and boundary interpretation.**

The boundaries of the districts are shown upon the official zoning map. Where uncertainty exists as to boundaries of any district shown on the map, the following rules shall apply.

- A. Where district boundaries are indicated as approximately following street lines, alley lines, or lot lines, such lines shall be construed to be such boundaries;
- B. In subdivided property or where a district boundary divides a lot, the location of such boundary, unless the same is indicated by dimensions, shall be determined by use of the scale appearing on the map. Where a district boundary line, as appearing on the official zoning map, divides a lot in a single ownership, which is of record at the time of this enactment, the district requirement for

the least restricted portion of such lot shall be deemed to apply to the whole thereof; provided, that such extension shall not include any part of such lot more than 35 feet beyond the district boundary line;

C. Where any street, road, or alley is hereafter officially vacated or abandoned, the regulations applicable to each parcel of abutting property shall apply to that portion of such street, road, or alley added to the property by virtue of such vacation or abandonment;

D. All lands not classified according to the established district classifications on the official zoning map, and all lands not shown on the map, shall be classified as low-density residential (LDR), pending study, public hearing, and specific classifications;

E. All land hereafter annexed to the city shall be considered tentatively as having the zone (district) classification shown within the North Bend 20241995 Comprehensive Plan, Proposed Zoning Map (Map 2B), as amended if applicable, pending study, public hearing and specific classification concurrent with annexation to the city.

#### **18.10.010 Zoning districts – Established.**

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

<b>District:</b>	<b>Abbreviation:</b>
Constrained Residential	Low-Density (CLDR)
Low-Density Residential	(LDR)
High-Density Residential	(HDR)
<u>Medium Residential</u>	<u>Density (MDR)</u>
<u>Cottage Residential</u>	
Neighborhood Business	(NB)
<u>Neighborhood Mixed Use</u>	<u>(NMU)</u>
Downtown Commercial	(DC)
Interchange Commercial	(IC)
Interchange Mixed Use	(IMU)
<u>Business Park</u>	<u>Employment (BPEP-4)</u>
<u>Park-4</u>	
Employment Park-2	(EP-2)
Parks, Open Space and Public Facilities	(POSPF)

#### **18.10.020 Zoning districts – Purposes.**

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##### **C. Purpose – ~~Cottage Residential District (CR)~~Medium Density Residential (MDR).**

1. Encourage innovative housing types of predominantly single-family smaller detached housing (i.e., cottage housing), with a limited number of two-unit homes, carriage units, and standard single-family homes pursuant to the provisions of Chapter 18.11 NBMC, Medium Density Residential~~Cottage Residential~~;
2. Allow smaller lot sizes and increased densities from six to 10 DU/acre gross to create greater economic choices for homebuyers in North Bend;
3. Accommodate other uses compatible with residential life;
4. Create attractive and satisfying environments for family and household life;
5. Ensure that adequate sewer, water, and other utilities and services are provided;

6. Provide for public amenities such as passive and active recreation areas, open space, and trails, and promote the opportunity for area-wide coordination and continuity of pedestrian, bicycle, and greenbelt corridors;
7. Assure development which gives due consideration to existing development or that which can reasonably be anticipated on adjacent lands, with respect to common infrastructure requirements and compatibility of uses;
8. Promote a traditional cottage neighborhood development pattern centered around common open space, and a scale which serves to maintain and enhance existing small-city character and pedestrian orientation;
9. Implement provisions of the comprehensive plan, including the vision plan, related to residential development.

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

1. Provide land for different intensities and types of residential, retail, service, business, office, and entertainment uses that complement, enhance, and support residential and other land uses within North Bend.
2. Implement provisions of the comprehensive plan related to commercial land uses, including but not limited to providing economic and employment opportunities, property tax bases, necessary goods and services, and in some cases, mixed-use (commercial first floor/residential upper floor) dwelling opportunities.
3. Promote high-quality commercial development that incorporates traditional development patterns and elements, including but not limited to building locations, architectural designs, construction materials, and site features that are harmonious with North Bend's small-city character.
4. Ensure that proper site needs and amenities, including but not limited to vehicular circulation and parking, pedestrian, bicycle, and greenbelt networks (where applicable), landscaping, lighting, public areas (e.g., greenspace, plazas), services, and utilities, and other necessary and desirable elements are integral parts of all commercial projects.
5. Neighborhood Mixed Use (NMU) and Neighborhood Business (NB) districts are intended to be general commercial areas; however, buildings are expected to be smaller in scale, and applicable businesses to operate on less than a 24-hour basis. The NB districts will accommodate a variety of commercial and light-industrial~~residential and other~~ land uses, including limited fabrication and light manufacturing when conducted in locations isolated from residential zoning districts. Residential is also permitted on ~~limited to~~ the second story or above in the Neighborhood Mixed Use zone~~near to rear of the parcels zoned NB that front North Bend Way and Mount Si Road at the intersection of North Bend Way and Mount Si Road. The A new NB-2 district is created to promote a lower-intensity character for~~ commercial areas west of the South Fork Snoqualmie River, reflecting this area's separation

from downtown by the South Fork Snoqualmie River, additional floodplain and critical areas constraints, and proximity to the large open space properties of Meadowbrook Farm and Tollgate Farm. Accordingly, uses and bulk and dimensional standards are further limited in the NB-2 district than what is permitted in the NMUNB district.

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

7. The interchange commercial (IC) district is intended to accommodate businesses that typically serve passerby travelers and tourists, while also supplying goods for Upper Valley residents typical of larger-scale commercial development. Primary access to the IC is anticipated to be vehicular; however, pedestrian amenities and circulation, including linkage to the historic downtown area, will be promoted. Buildings are permitted to be larger in scale relative to other commercial districts, and select businesses are permitted to operate on a 24-hour basis.

8. The interchange mixed use (IMU) zoning district is intended to provide a transitional area between interchange commercial (IC) zoning and residential (LDR, HDR) zoning. The zoning accommodates permitted residential, interchange commercial and other commercial development to minimize adverse impacts on and maximize compatibility with adjacent land uses. Buildings in the IMU district are expected to be smaller in scale than buildings in the IC district, with select businesses permitted to operate on a 16-hour basis or less, closed between 10:00 p.m. and 6:00 a.m.

E. Purpose – Employment Park Districts including (EP-1 and EP-2) Business Park (BP) and Employment Park (EP). The EP-1 and EP-2 EP and BP zoning districts have the following general and specific purposes (general purposes include subsections (E)(1) through (5) of this section; specific purposes include subsections (E)(6) and (7) of this section at densities established by a floor area ratio):

1. Provide appropriate areas for various commercial land uses, including office, warehouse, distribution, manufacturing enterprises, industrial uses, and research and development facilities which complement, enhance, and support the mix of land uses within the city of North Bend. Retail sales or related services are limited to a few select uses, or allowed only as incidental to underlying permitted uses.
2. Implement provisions of the comprehensive plan related to employment park district land uses, including but not limited to providing economic and employment opportunities, as well as balanced property tax bases and possible mixed land use opportunities.

3. Promote high-quality and well-designed business and industrial developments that are harmonious with North Bend's small-city character, and create an environment free from adverse noise, odors, dust, smoke, air pollution, water pollution, and inappropriate truck traffic or related traffic congestion.
4. Ensure that proper site needs and amenities, including but not limited to vehicular circulation and parking, services and utilities, landscaping, lighting, pedestrian, bicycle, and greenbelt networks and linkages, and other necessary and desirable elements are integral parts of all employment park district projects.
5. Ensure sensitivity to adjacent land uses and the environment, including avoidance of incompatible uses, and that new development is integrated with physical and social linkages to the community.
6. The BPEP-1 district is intended to provide areas for light industrial and limited commercial uses that are compatible with, and not detrimental to, adjoining land use districts. Permitted uses in the BPEP-1 district include offices (professional, business, corporate), light manufacturing, warehouse and distribution, and research and development. A wider variety of manufacturing and assembly uses are permitted on a conditional use basis. Smaller-scale business enterprises are permitted to the extent they are needed to serve employees within the EP-1BP district. Uses that capitalize on North Bend's setting and geographic location are encouraged.
7. The EP-2 district is intended to provide areas for a variety of industrial land uses, including manufacturing, fabrication, and processing of natural and manmade materials. Large-scale and/or specialized industrial and commercial operations, including those having greater potential impacts to surrounding areas, will be permitted in this district. Business uses which support activities occurring in outlying rural areas, including support services for forestry or resource-based industries, are encouraged.

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**Table 18.10.030 – Permitted and Conditional Land Uses – Table Row and Notes Amendments**

**[NOTE TO CODE REVISER: Only the following rows of table 18.10.030 indicating land use types are amended: the Land Uses Table header row, and Land Uses 1.54, 2.25, 3.32, and 3.33. The Table Notes are also amended as shown. Rows not included herein remain in full force and effect as currently adopted.]**

P = Permitted use CUP = Conditional use permit required		RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES
LAND USES:		LDR	CLDR	<del>CRM</del> DR	HDR	<u>NB</u> <u>NMU</u>	DC	IC	IMU	NB-2	<u>EP</u> <u>1BP</u>	<u>EP</u> <u>2EP</u>	POSPF
...													
*	1.54 Upper Floor Dwelling Units				P	P	See Chapter 18.12 NBMC	<u>P</u> (7)	P				
...													
	2.25 Research and Development Facilities					<u>P</u> (8)	See Chapter 18.12 NBMC			P	P	P	
...													
	3.32 Multi-Tenant Industrial Park					<u>P</u> (8)	See Chapter 18.12 NBMC			P	P	P	
*	3.33 Warehousing and Distribution					<u>P</u> (8)	See Chapter 18.12 NBMC			P (12)	P (12)		

P = Permitted use CUP = Conditional use permit required	RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES	
LAND USES:	LDR	CLDR	<del>CR</del> <u>MDR</u>	HDR	<u>NB</u> <u>NMU</u>	DC	IC	IMU	<u>NB-2</u>	<u>EP</u> <u>4BP</u>	<u>EP</u> <u>2EP</u>	POSPF	
... ;A													

**NOTES:**

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

Environmental quality performance standards apply to all uses in all zoning districts.

(1)

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

(2)

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

(3)

Cottages are allowed on a limited basis within areas of the LDR zoning district subject to the cottage residential regulations in Chapter 18.11 NBMC.

(4)

Zero lot line townhomes, also referred to as row houses, are single-family attached dwellings that share a common wall with other dwellings on one or both sides of the unit, but are independent homes occupying their own legal lot, unlike condominiums.

**NOTES:**

(5)

Heavy equipment refers to heavy-duty vehicles, specially designed for executing construction tasks, most frequently ones involving earthwork operations. They are also known as heavy machines, heavy trucks, construction equipment, engineering equipment, heavy vehicles, or heavy hydraulics. They usually comprise five equipment systems: implement, traction, structure, power train, control and information.

(6)

For affordable housing projects that are not expressly permitted see Chapter 18.27 NBMC, Development Agreements.

(7)

Within IC Zone at Exit 31 on the North side of Bendigo Boulevard, residential use is allowed on the second floor and above.

(8)

Research and Development Facilities (2.25), Multi-Tenant Industrial Park (3.32), and Warehousing and Distribution (3.33) are allowed within the NMU Zone for parcels greater than 2 acres in size where located between 436<sup>th</sup> Avenue SE and SE 140<sup>th</sup> where it intersects with SE North Bend Way subject to compliance with Performance standards in NBMC 18.10.050, as well as within existing buildings greater than 12,000 square feet in size in the NMU zone.

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**Table 18.10.040 – Bulk and Dimensional Standards - Table Row Amendments**

**[NOTE TO CODE REVISER: Only the following rows of table 18.10.040 indicating bulk and dimensional standards are amended; rows not included herein remain in full force and effect as currently adopted.]**

BULK AND DIMENSIONAL STANDARDS:	RESIDENTIAL DISTRICTS:				COMMERCIAL DISTRICTS:					EMPLOYMENT PARK DISTRICTS:		POSPF DIST.:
<b>1. Minimum Lot Size (1):</b>	LDR 4 DU/Acre Gross Density	CLDR 2 DU/Acre Gross Density	<b>CRM<b>DR</b></b> Gross Density	HDR Net Density	<b>NBNMU</b> Net Density	DC Net Density	IC	IMU Net Density	<b>NB-2</b>	<b>BPEP-1</b> Net Density	<b>EP-2</b>	POSPF
...												
<b>2. Maximum Lot Size:</b>	LDR	CLDR	<b>MDR<b>CR</b></b>	HDR	<b>NBNMU</b>	DC	IC	IMU	<b>NB-2</b>	<b>BPEP-1</b>	<b>EP-2</b>	POSPF
...												
<b>3. Minimum Lot Width (10):</b>	LDR	CLDR	<b>MDR<b>CR</b></b>	HDR	<b>NBNMU</b>	DC	IC	IMU	<b>NB-2</b>	<b>BPEP-1</b>	<b>EP-2</b>	POSPF
...												
<b>4. Minimum Front Yard Setback: (6)</b>	LDR	CLDR	<b>MDR<b>CR</b></b>	HDR	<b>NBNMU</b>	DC	IC	IMU	<b>NB-2</b>	<b>BPEP-1</b>	<b>EP-2</b>	POSPF
...												
<b>5. Maximum Front Yard Setback: (6, 7)</b>	LDR	CLDR	<b>MDR<b>CR</b></b>	HDR	<b>NBNMU</b>	DC	IC	IMU	<b>NB-2</b>	<b>BPEP-1</b>	<b>EP-2</b>	POSPF
...												
<b>6. Minimum Side Yard Setback: (9, 10)</b>	LDR	CLDR	<b>MDR<b>CR</b></b>	HDR	<b>NBNMU</b>	DC	IC	IMU	<b>NB-2</b>	<b>BPEP-1</b>	<b>EP-2</b>	POSPF
...												

BULK AND DIMENSIONAL STANDARDS:	RESIDENTIAL DISTRICTS:				COMMERCIAL DISTRICTS:					EMPLOYMENT PARK DISTRICTS:		POSPF DIST.:
	LDR	CLDR	<u>MDRCR</u>	HDR	<u>NBNMU</u>	DC	IC	IMU	NB-2	<u>BPEP-1</u>	<u>EP-2</u>	POSPF
7. Minimum Rear Yard Setback: (11)												
8. Maximum Building Height: (12)	LDR	CLDR	<u>MDRCR</u>	HDR	<u>NBNMU</u>	DC	IC	IMU	NB-2	<u>BPEP-1</u>	<u>EP-2</u>	POSPF
...												
d. Duplexes			See Chapter 18.11 NBMC	35'	35'	See Chapter 18.12 NBMC			305'			
e. Triplex, Fourplex, and Other Multifamily Structures (including elderly homes and related)				35'	35'	See Chapter 18.12 NBMC			305'			
...												
9. Maximum Building Cover: (percent of lot area or project depending on the zone) (13)	LDR	CLDR	<u>MDRCR</u>	HDR	<u>NBNMU</u>	DC	IC	IMU	NB-2	<u>BPEP-1</u>	<u>EP-2</u>	POSPF
...												
10. Maximum Impervious Surface Coverage: (percent of lot area or project depending on the zone) For lots within the floodplain, see NBMC 14.12.070 for additional regulations.	LDR	CLDR	<u>MDRCR</u>	HDR	<u>NBNMU</u>	DC	IC	IMU	NB-2	<u>BPEP-1</u>	<u>EP-2</u>	POSPF
...												
11. Multifamily Maximum Building Size:	LDR	CLDR	<u>MDRCR</u>	HDR	<u>NBNMU</u>	DC	IC	IMU	NB-2	<u>BPEP-1</u>	<u>EP-2</u>	POSPF
...												

BULK AND DIMENSIONAL STANDARDS:	RESIDENTIAL DISTRICTS:				COMMERCIAL DISTRICTS:					EMPLOYMENT PARK DISTRICTS:		POSPF DIST.:
	LDR	CLDR	<u>MDRCR</u>	HDR	<u>NBNMU</u>	DC	IC	IMU	NB-2	<u>BPEP-1</u>	<u>EP-2</u>	
<b>12. Maximum Ground Floor Commercial Tenant Space:</b> In all nonresidential zones, development shall comply with the standards set forth in Chapter 18.34 NBMC.												<b>POSPF</b>
<b>13. Floor Area Ratio (15):</b> In all zones, development shall comply with the standards set forth in Chapter 18.34 NBMC.												<b>POSPF</b>

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**Table 18.10.050 – Land Use Performance Standards – Table Row Amendments**

**[NOTE TO CODE REVISER: Only the following rows of table 18.10.050 indicating land use types are amended; rows not included herein remain in full force and effect as currently adopted.]**

TYPE OF LAND USE:		PERFORMANCE STANDARD(S):	
<b>1.00 RESIDENTIAL:</b>		...	
		c.	New first floor residential is prohibited in the <u>NMUNB</u> zone.
		...	
...			
1.20	Multifamily Structures	a.	New multifamily dwellings constructed on North Bend Way or Bendigo Boulevard shall be second story or above in the <u>NMUNB</u> zoning district.
		...	
...			
<b>2.00 COMMERCIAL:</b>			
...			
2.06	Business and Professional Office	a.	In the <u>EP-1BP</u> and EP-2 districts, only business offices associated with the principal, underlying employment park uses are allowed.
...			
2.19	Nursery, Landscape, and Garden Supply	a.	Outdoor storage or stockpiling of soil, bark chips, gravel, railroad ties, or related bulk landscape materials for sale or resale is prohibited in the DC zoning district; incidental business use of

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	these materials is permitted. In the <u>NMUNB</u> and <u>BPEP-1</u> districts, the outdoor storage or stockpiling standard shall be limited to not more than 125 cubic yards of bulk (nonpackaged) materials.
...	
2.24b Restaurant (Non-Drive-Thru)	a. In the DC and IC districts, are permitted to be open for 24 hours. In the <u>NMU</u> , <u>NB</u> and <u>IMU</u> districts, are expected to be open for maximum 16-hour-per-day periods – not at night.
...	
2.26 and 2.27 Retail and Wholesale Sales	a. In the <u>BPEP-4</u> and <u>EP-2</u> districts, retail sale of goods is limited strictly to those manufactured on-premises, and sales areas may not occupy more than 15 percent of gross floor area. b. In the <u>NBNMU</u> zone, retail must occupy a minimum of 20 percent of the gross floor area.
...	
2.29c Outdoor Storage of Boats, Cars, Campers, Etc.	a. Outdoor storage of boats, cars, campers, and the like shall be allowed for a business where point of sale occurs within the city or a business that provides rental space for the convenience of individuals wishing to store their personal boats, campers, etc. b. Storage of all outdoor parts, equipment and service areas shall be located to the side or rear of the property and screened from view using 15-foot-wide Type 1 landscaping. In the <u>NB-2</u> zone, side yard setbacks between adjacent parcels shall be a minimum of 15 feet wide and include Type 1 landscaping where outdoor storage is proposed. c. The required amount of vehicular use area landscaping shall be met; however, the location of said landscaping may be adjusted

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	and placed on the perimeter or as a consolidated feature as approved by the director.
2.32 Veterinary Clinic	a. Exterior kennels or runs are prohibited in the <u>NMUNB</u> and DC zoning districts.
...	
2.41 Marijuana Related Uses (Producer, Processor, Retail and Other)	See Chapter 18.60 NBMC.
2.42 Indoor Emergency Shelter	<p>a. Conditional use permit required.</p> <p>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.</p>

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	<p>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.</p> <p>d. Must comply with all standards of the zone in which the indoor emergency shelter is located.</p>
...	
<b>3.00 INDUSTRIAL:</b>	
3.00 All Industrial Uses	...
3.00	<p>h. In any new structure or building and for any new use, warehousing shall be limited to 80 percent of the gross area of the building or structure. In the event of multiple structures or buildings (e.g., campus style layout) operated by a single user, aggregate warehousing shall be limited to 80 percent of the total gross area of all buildings associated with that single user. “Single user” means a single business entity that shares management, controlling ownership interests, storage areas or shared ingress and egress into that business entity. “Warehouse” is a building or structure used for the storage of goods and/or materials, where the total gross floor area dedicated to the storage of goods and/or materials exceeds 65 percent; provided, however, if an applicant can provide evidence and make a showing that the primary function of the use within such building or structure is manufacturing, assembly, or reassembly of goods and materials, then it shall not be defined as a warehouse. Notwithstanding anything to the contrary in this section all existing uses and buildings (without regard to the foregoing 65 percent warehouse threshold) in existence as of <u>September 21, 2010</u> and located within the <u>BPEP-1</u> zone located</p>

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	<p><del>west of Bendigo Blvd. S., in each case as of September 21, 2010, and any subsequent expansion of any such uses and buildings, including expansion into new buildings and uses associated with the existing use, shall be exempt from compliance with this provision.</del></p> <p>...</p>
3.11 Apparel, Fabrics, Etc.	a. These uses are permitted as indicated in Table 18.10.030. Within the <u>NMU</u> and <u>NB</u> district, the scale of industrial and/or manufacturing operations associated with these uses shall be limited and shall include limited truck or associated shipping and receiving traffic and generally limited land use impacts on surrounding properties and the zoning district. Additional mitigating conditions may be placed on the use through the SEPA process to address impacts of the use that are not addressed through conformance to the city's development regulations.
3.15 Fabricated Small Components and Products (Containers, Hand Tools, Screw Products, Coatings and Recreational Products)	b. Within the <u>NMU</u> and <u>NB</u> district, limited scale industrial/manufacturing uses as listed herein, and as permitted by Table 18.10.030, Permitted and Conditional Land Uses, shall meet the following standards:
...	
3.20 Measuring and Controlling Instruments	c. Within the <u>NMU</u> <u>NB</u> zone, for limited scale industrial/manufacturing uses as listed herein on parcels located between Thrasher Avenue NE and the intersection of North Bend

<b>TYPE OF LAND USE:</b>	<b>PERFORMANCE STANDARD(S):</b>
...	Way and SE Tanner Road, the following exception to subsection (b) of this section shall apply:

## Chapter 18.11

### **COTTAGE RESIDENTIAL MEDIUM DENSITY RESIDENTIAL**

#### **18.11.010 User guide.**

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

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

#### **18.11.020 Standards, intent, and voluntary provisions.**

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

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

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

...

##### **D. Cottage Development Size and Mix.**

###### **1. Maximum Development Size.**

- a. Within the ~~cottage residential~~ medium density residential zone or downtown commercial zone, a cottage development shall not exceed 24 dwelling units (split among two or more clusters), except as may be exceeded with separation pursuant to subsection (E)(3) of this section.

- b. Within the LDR zone, a cottage development shall not exceed 12 dwelling units.
- 2. Single-Story Cottage Mix. Each cluster of 12 dwelling units must provide at least one single-story cottage.
- 3. Not more than one two-unit structure and one carriage unit may be allowed within each cluster of 12 dwelling units.

E. Cottage Cluster Location, Size and Separation.

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

**NBMC 18.11.040 Figure**

**A**



**2. Cluster Size.**

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

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

- a. Within the CR zone:

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

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

...

#### **18.11.070 Cottage residential Medium density residential zone-wide design parameters.**

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

All parcels abutting Stilson Avenue SE shall be developed per the low-density residential zoning standards.

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

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

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



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

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

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

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

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

C. Burlington Northern Railway Right-of-Way.

1. For development sites located adjacent to the Burlington Northern right-of-way (ROW), the developer may purchase the Burlington Northern ROW and dedicate no less than 40 feet for Tanner Trail and open spaces purposes to the city. Any remaining Burlington Northern ROW area in excess of the minimum 40 feet may be incorporated into the development. If the developer opts for this, the following shall apply:

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

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

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