

ORDINANCE 1833

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, AMENDING NORTH BEND MUNICIPAL CODE SECTIONS 18.34.030(C), 18.34.050(H), AND 18.34.060(D) RELATING TO DESIGN STANDARD DEVIATIONS AND RESIDENTIAL DESIGN STANDARDS; AMENDING THE COMMERCIAL/MIXED-USE/INDUSTRIAL DESIGN GUIDELINES AND STANDARDS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, during its 2023 session, the Washington State Legislature passed, and the Governor signed, ESHB 1293, codified as Revised Code of Washington (RCW) 36.70A.630 and 36.70B.160, which intends to streamline development regulations with regard to design standards and review; and

WHEREAS, ESHB 1293 impacts the City of North Bend, since it restricts a jurisdiction's ability to enact architectural design regulations and requires design standards to be clear and objective; and

WHEREAS, the North Bend Commercial/Mixed-Use/Industrial Design Guidelines and Standards currently regulates non-residential design with some restrictions, but some of those restrictions are duplicative of North Bend Municipal Code ("NBMC") provisions or conflict with this new state law; and

WHEREAS, the NBMC currently regulates residential design with some restrictions, but some of those restrictions are duplicative of the North Bend Commercial/Mixed-Use/Industrial Design Guidelines and Standards or conflict with this new state law; and

WHEREAS, the proposed amendments were submitted to the Washington State Department of Commerce for review on April 18, 2025; and

WHEREAS, a State Environmental Policy Act ("SEPA") Determination of Non-Significance was issued for the proposed amendments on April 18, 2025; and

WHEREAS, the North Bend Planning Commission held a public hearing on the proposed amendments at its May 7, 2025, meeting to receive testimony on the proposed amendments; and

WHEREAS, the Planning Commission, by motion on May 7, 2025, recommended approval of the proposed amendments to NBMC Subsections 18.34.030(C), 18.34.050(H), and 18.34.060(D)

and the North Bend Commercial/Mixed-Use/Industrial Design Guidelines and Standards as detailed in its findings, conclusions and recommendations; and

WHEREAS, the City Council, held a public hearing on the proposed amendments at its June 3, 2025 meeting to receive testimony on the proposed amendments; and

WHEREAS, the City Council, by motion at the June 3, 2025 City Council meeting, requested additional time to review the proposed amendments and moved a decision to the June 17, 2025 City Council meeting; and

WHEREAS, the North Bend City Council finds that the proposed amendments are consistent with the requirements of ESHB 1293, RCW 36.70A.630 and RCW 36.70B.160; and

WHEREAS, the North Bend City Council finds that the public interest and welfare would be satisfied by amending NMBC Subsections 18.34.030(C), 18.34.050(H), and 18.34.060(D);

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

Section 1. NBMC Section 18.34.030(C) (Applicability, Exemptions, Relation to Other Codes, and Effect), Amended: North Bend Municipal Code Subsection 18.34.030(C) is hereby amended to read as shown in Exhibit A attached hereto and by this reference incorporated herein.

Section 2. NBMC Section 18.34.050(H) (Single-Family and Cottage Residential), Amended: North Bend Municipal Code Subsection 18.34.050(H) is hereby amended to read as shown in Exhibit A attached hereto and by this reference incorporated herein.

Section 3. NBMC Section 18.34.060(D) (Multifamily Residential), Amended: North Bend Municipal Code Subsection 18.34.050(D) is hereby amended to read as shown in Exhibit A attached hereto and by this reference incorporated herein.

Section 4. North Bend Commercial/Mixed-Use/Industrial Design Guidelines and Standards, Amended: The North Bend Commercial/Mixed-Use/Industrial Design Guidelines and Standards is hereby amended to read as shown in Exhibit B attached hereto and by this reference incorporated herein.

Section 5. 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 6. 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 17TH DAY OF JUNE,
2025.**

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Mary Miller, Mayor

Kendra Rosenberg, City Attorney

ATTEST/AUTHENTICATED:

Published: June 27, 2025

Effective: July 2, 2025

Susie Oppedal, City Clerk