



**REGULAR MEETING AND SPECIAL PUBLIC HEARING OF THE
NORTH BEND PLANNING COMMISSION
Wednesday September 3, 2025, 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 August 20, 2025**
- 4) Introduction, Hearing and Recommendation – NBMC 14.16 Critical Aquifer Recharge Area (CARA) Regulations **Pg. 4****
- 5) Recommendation for NBMC 18.06 and 18.10 Amendments- Land Use Definition and Zoning Regulations **Pg. 10****
- 6) Sign Regulations- 2nd review of Definitions **Pg. 127****
- 7) Sign Regulations - 1st review Prohibitions and Exemptions **Pg. 135****
- 8) Adjournment by 8:30 unless otherwise approved.**

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

Those wishing to access the meeting by teleconference will be required to display your full name to be admitted to the online meeting.

Microsoft Teams [Need help?](#)

[Join the meeting now](#)

Meeting ID: 212 102 733 452

Passcode: Mb6tq2p9

Dial in by phone

[+1 323-484-5815,,28615079#](#) United States, Los Angeles

[Find a local number](#)

Phone conference ID: 286 150 79#



**REGULAR MEETING AND SPECIAL PUBLIC HEARING OF THE
NORTH BEND PLANNING COMMISSION
- ACTION MEETING MINUTES -
Wednesday August 20, 2025, 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, under “City of North Bend.”

AGENDA

1) Call to order and roll call, Planning Commission

Planning Commissioners present: Stephen Matlock, Brian Fitzgibbon, James Boevers, and Hannah Thiel
Commissioner and Juliano Pereira and Sam White were absent and excused.

City Staff Present: Caitlin Hepworth, Associate Planner; Jamie Burrell, Senior Planner; Paige Robbins,
Planning Intern

Meeting was called to Order at 6:31p.m.

2) Opportunity for public comment on non-agenda items

No comments.

3) Approval of minutes from August 6, 2025

Motion by Commissioner Matlock, seconded by Commissioner Boevers to approve the August 6, 2025 meeting minutes. The motion passed unanimously.

**4) Public Hearing and Recommendation for NBMC Chapter 18.06 Definitions and Chapter 18.10
Zoning Districts Amendments**

Jamie Burrell introduced the amendments. Two public comments received were summarized and amendments were proposed to address many of the comments.

Chair Thiel opened the public hearing at 6:53 pm. No comment was provided. Chair Thiel closed the public hearing at 6:54 pm.

Planning Commission had consensus on some of these primary issues: Tattoo Parlors should be considered as personal services not standalone, height increases should be carefully considered before changes are made and more supported by I90 rather than downtown to protect views, more than 10 units per building multifamily building is supported in the IMU zone but the standard should still be applied to the HDR and NMU zones.

Commissioner Boevers provided several clarifications and edits to amend in NBMC 18.06 definitions.



Motion by Commissioner Matlock, seconded by Commissioner Boevers, to recommend continuing discussion of the amendments at the next meeting to the Definitions and Zoning Districts in NBMC Title 18 as presented and amended tonight.

5) Review of draft sign definitions for NBMC 18.20.

Caitlin Hepworth provided a summary of the draft sign definitions. Staff answered Planning Commission questions and discussed next steps.

6) Adjournment by 8:30 unless otherwise approved.

The meeting was adjourned at 7:36 p.m.

DRAFT

Community and Economic Development Department Staff Report



Proposal: Amendments to NBMC 14.16 Stormwater Management adopting a new subsection NBMC 14.16.065 Underground Injection Control Class V Wells

Date: September 3, 2025

Proponent: City of North Bend

Staff Recommendation:

A motion to approve of the proposed amendments to NBMC 14.16 Stormwater Management adopting a new subsection NBMC 14.16.065 Underground Injection Control (UIC) Class V Wells.

A. PROPOSED AMENDMENTS:

An amendment is proposed to North Bend Municipal Code Chapter 14.16 Stormwater Management. The proposed code amendments are in response to recent applicant confusion regarding the appropriate usage of Underground Injection Control Class V Wells (“UIC Wells”) as a method of stormwater drainage design. UIC Wells are stormwater structures that allow fluids to flow into the ground under the force of gravity. Examples include gravel filled trenches with perforated pipes or drywells commonly used on many types of new construction from single-family homes to commercial projects. UIC Wells are an allowed stormwater treatment device under the current edition of the King County Surface Water Design Manual (“KCSWDM”) and Washington State Department of Ecology (“Ecology”) stormwater regulations.

Staff are therefore proposing an amendment in NBMC 14.16 to address the use of UIC Wells under NBMC 14.16.065. The proposed addition is intended to provide greater transparency and clarification to applicants on the appropriate use of UIC Wells. UIC Wells are prohibited in any area identified as a wellhead protection area, as shown in the adopted Critical Areas Map, for any use. UIC Wells that receive clean runoff from roofs of single-family type homes only, will be exempt from this prohibition. There are many different types of infiltration facilities and devices available to developers such as surface infiltration (ponds and swales for example) so the impact of the passage of this ordinance to the development community should be minor.

The proposed municipal code amendment is provided within the attached Exhibits A.

B. FINDING AND ANALYSIS:

1. **Public Hearing:** A public hearing is scheduled for the September 3rd Planning Commission meeting.
2. **Municipal Code Amendment Process:** Municipal code amendments are governed by NBMC 20.08.070 through 20.08.110, evaluated below.

- a. **Impacts of Proposed Amendment**

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

- i. **Environmental Impacts.** No environmental impacts are anticipated from revising the stormwater management standards in the municipal code. Regulations protecting critical areas and managing storm water runoff are governed by the Critical Area Regulations in NBMC Title 14, Department of Ecology UIC Guidance within the Stormwater Management Manual for Western Washington, and apply regardless of a local amendment. However, numerous applicants have had challenges understanding the appropriate use of UIC wells and staff believe it would save applicant time and cost to have an explicit standard adopted in the code.
 - ii. **Economic Impacts.** No significant economic impacts are anticipated from the proposed amendment. Permitted drainage design standards will not have a significant impact on residential, commercial, mixed use, or industrial projects. The amendment instead creates greater clarity and transparency in permitted application of UIC Wells. Adoption of the amendment would result in time and cost savings to permit applicants subject to drainage review.
 - iii. **Cultural Impacts.** No significant cultural impacts are anticipated from the proposed amendment. The amendment maintains the quality of underground water resources.

- b. **Impacts to Surrounding Properties.** The proposed amendments are not specific to any particular properties.

3. **Compatibility of Proposed Amendment with North Bend Comprehensive Plan**

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

The North Bend Comprehensive Plan Critical Areas Element calls for preservation of natural hydraulic and hydrologic systems.

The proposed amendments are consistent with the following Comprehensive Plan Goals and Policies:

Critical Areas Policy 3.1: Control the quality and quantity of stormwater runoff to protect natural drainage systems. New development should not increase peak stormwater flows.

Critical Areas Policy 5.5: Maintain the natural hydrology to wetlands while identifying methods to remove potentially harmful contaminants from stormwater discharge.

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

In accordance with NBMC 20.08.070 and .080, application for municipal code amendments must be evaluated for compliance with the North Bend Municipal Code.

The amendments enhance consistency of North Bend’s municipal code regarding drainage design with adopted state and regional guidance on stormwater management and design, including but not limited to the Department of Ecology UIC Guidance within the Stormwater Management Manual for Western Washington, King County Surface Water Design Manual. The amendments are consistent with the 2024 Critical Areas Maps identifying multiple wellhead protection area designations throughout North Bend.

5. Consistency with NBMC 20.08.100

Pursuant to NBMC 20.08.100, the City Council 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 amendments are to the North Bend Municipal Code. There are no amendments to the Comprehensive Plan. See further description on compatibility of the proposed amendments to the Comprehensive Plan above.
2. If the issue is not addressed in the Comprehensive Plan, is there a need for the proposed change?
Yes. As described further under section A, the amendments are proposed to provide greater clarity and consistency in the application of UIC Wells, which under adopted County and State stormwater design guidelines and manuals must be prohibited in wellhead protection areas. The purpose of the amendment is to preserve the quality of underground aquifers the city relies on for clean drinking water. The amendment provide greater transparency for applicants regarding the use of UIC wells and permitted exemptions to the standard.
3. Is the proposed change the best means for meeting the identified public need?
Yes. The draft amendments are the best means to improve communication of this standard adopted by the Department of Ecology.
4. Will the proposed change result in a net benefit to the community
Yes. The proposed regulations will result in a net benefit to the community by enhancing clarity and transparency around permissible and prohibited types of drainage design based on use and location within wellhead protection area designations in the adopted Critical Areas Maps.

C. SUMMARY FINDINGS

- 1) Pursuant to RCW 36.70A.106, the draft regulations were forwarded to Commerce - Growth Management Services on August 15, 2025.

- 2) The Planning Commission considered the proposed draft amendments at their September 3, 2025 Planning Commission meetings and held a public hearing on the draft regulations at their September 3, 2025 meeting.
- 3) The CED Committee at their September 16, 2025 meeting approved moving the proposed amendments to the City Council agenda (...TBD...).
- 4) A State Environmental Policy Act Determination of Non-significance on the proposed amendments was issued on August 15, 2025 and noticed appropriately.
- 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.
- 6) The amended design standards will result in a benefit to the community by enhancing transparency around permitted forms of on-site drainage design within wellhead protection zones.

D. RECOMMENDATION

Staff Recommendation

The proposal is consistent with the development regulation amendment procedures in NBMC 20.08 and is supported by policies within the Comprehensive Plan. Staff recommends approval of the amendments to the stormwater standard NBMC 14.16.065.

Planning Commission Recommendation

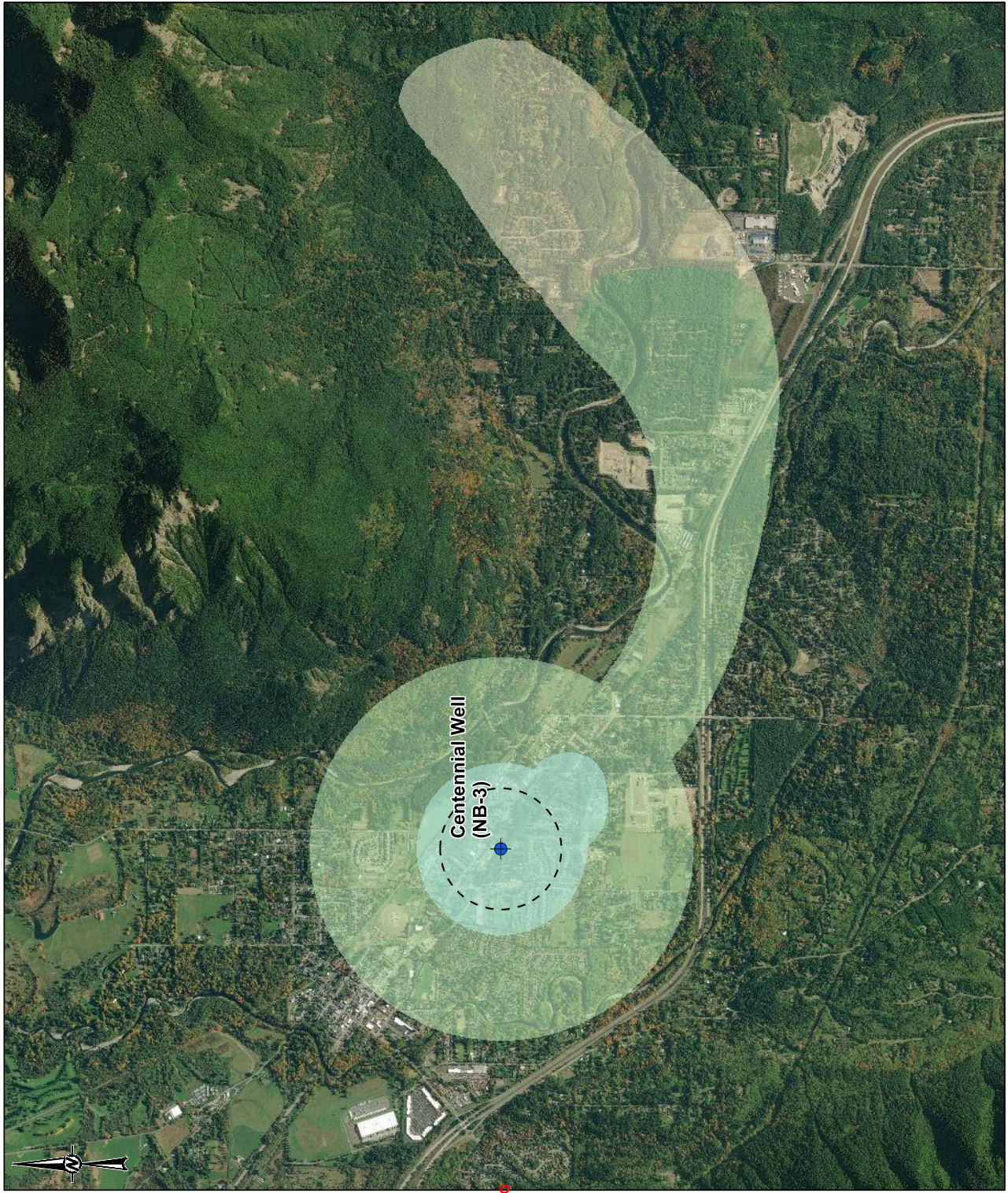
Based on the findings above and after consideration of the public comment received at the public hearing, the North Bend Planning Commission recommends approval of the proposed amendment to the stormwater standard NBMC 14.16.065.

Exhibits:

Exhibit A: Municipal Code Amendments

Exhibit B: Water System Plan

Exhibit C: Written comment received (if any)



LEGEND

- Centennial Well
- 6-Month Travel Time
- 1-Year Wellhead Protection Area
- 5-Year Wellhead Protection Area
- 10-Year Wellhead Protection Area



NOTES:
1. THE SANITARY CONTROL AREA (100 FOOT RADIUS AROUND THE WELL) IS THE SAME SIZE AS THE SYMBOL USED TO IDENTIFY THE CENTENNIAL WELL.

REFERENCES:
1. SANITARY CONTROL AREA, 6-MONTH TRAVEL TIME, WELLHEAD ZONES, WELLS
2. COORDINATE SYSTEM: NAD 1983 STATEPLANE WASHINGTON NORTH FIPS 5002
3. DATUM: NAD 1983
4. HORIZONTAL DATUM: NAD 1983
5. VERTICAL DATUM: NAVD 83
6. GEOGRAPHICS: ONESANGLUS DS, USDA, USGS, AEROGRIID, IGN, AND THE C
COMMUNITY

LENT
ITY OF NO TH BEND

PROJECT
WELLHEAD PROTECTION PLAN

TITLE
CENTENNIAL WELL (NB-3)
ELINEATED WELLHEAD PROTECTION AREA

CONSULTANT
YYYY-MM-DD 2020-0

DESIGNED EP
PREPARED TL
REVIEWED JP
APPROVED JP



PROJECT NO. 130021817
PHASE 004
REV 0

Proposed Amendments to NBMC 14.16

NEW SUBSECTION: NBMC 14.16.065 Underground Injection Control Class V Wells

- A. Underground Injection Control (UIC) Class V Wells are prohibited in the 1-year and 5-year wellhead protection areas in accordance with the Department of Ecology UIC [Well Guidance](#).
- B. UIC Class V Wells for single-family home type units that receive only residential roof runoff are exempt from this requirement.



**Community and Economic Development Department Staff
Report and Planning Commission Recommendation**

Proposal: Amendments to NBMC 18.06 Definitions and 18.10 Zoning Districts Amendments

Date: September 3, 2025 Planning Commission meeting

Proponent: City of North Bend

Staff Recommendation: A motion to recommend City Council approval of the proposed amendments to NBMC 18.06 Definitions and 18.10 Zoning Districts Amendments

A. PROPOSED AMENDMENTS

City staff are proposing amendments to NBMC Chapter 18.06 Definitions, and Chapter 18.10 Zoning Districts. These amendments are intended to clarify definitions for all land uses identified in the Table of Permitted and Conditional Uses 18.10.030, to address recent legislation, and to address other miscellaneous amendments noted by staff in Table 18.10.040 Bulk and Dimensional Standards and Table 18.10.050 Performance Standards. Highlights of some of the primary changes:

- Senate Bill 5509 related to allowance for childcare facilities in all zones.
- House Bill 1757 related to housing unit density for redevelopment within existing buildings. A footnote is added to Table 18.10.040 to allow up to 50% more density than what is permitted within the underlying zone when residential is proposed within an existing building in a zone that allows multifamily housing.
- Allowance for first floor residential within the NMU zone where lots front North Bend Way. Commercial is required along the entire frontage, and the first-floor residential portion shall not exceed 40% of the net area of the lot.
- Removal of specific location standards for Tattoo Parlor and Body Piercing Studio and combining with Personal Services.
- Removal of specific zoning-district based impervious surface coverage limits, as these standards are duplicative of stormwater regulations that apply more comprehensively, as well as other related standards that better address built-form impacts such as setbacks, building-coverage requirements, and landscape buffers.
- Miscellaneous other Bills, updates identified by staff and amendments including Bulk and Dimensional and Performance Standards as necessary.

B. FINDING AND ANALYSIS

1. **SEPA:** The proposed municipal code amendments are subject to the State Environmental Policy Act (SEPA). A SEPA Determination of Non-Significance was issued on August 8, 2025.
2. **Public Hearing:** The Planning Commission held a Public Hearing on August 20, 2025. No verbal comments were provided during the hearing.
3. **Municipal Code Amendment Process:** Municipal code amendments are governed by NBMC 20.08.070 through 20.08.110, evaluated below.

- a. **Impacts of Proposed Amendment**

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

- i. **Environmental Impacts.** No environmental impacts are anticipated from the proposed amendments. Regulations protecting critical areas, managing storm water runoff, and controlling floodplain impacts are governed by the Critical Area Regulations in NBMC Title 14, and apply regardless of development that occurs on a site or applicable zoning district. Such review will occur upon submittal of an application for development.
 - ii. **Economic Impacts.** No economic impacts are anticipated from revising the NBMC amendments.
 - iii. **Cultural Impacts.** No cultural impacts are anticipated from revising the NBMC amendments.

- b. **Impacts to Surrounding Properties.** Impacts are not anticipated from the proposed amendments. The amendments are intended to clarify definitions to create more certainty for development. Individual projects will be evaluated under the Municipal Code, Public Works Standards, Form Based Code, and/or Commercial/Mixed Use/Industrial Design Standards and Guidelines to assess for potential impacts and appropriate mitigation.

4. **Compatibility of Proposed Amendment with North Bend Comprehensive Plan**

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 compatible with the North Bend Comprehensive Plan.

The proposed amendments do not conflict or change anything within the Comprehensive Plan. No zoning or underlying land use changes are proposed. The amendments are to provide compliance with recent legislation and to provide clarity and corrections to miscellaneous code sections.

Housing Element Policies related to the NMU amendment specifically:

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.

Housing Policy 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 – 4.6 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

North Bend Comprehensive Plan Housing Element Goal 1 is to encourage a variety of housing types and densities compatibly located to meet the demands of a diverse population. The City has heard from property owners and developers that requiring first floor residential throughout the NMU zone is not economically feasible. The proposed change to allow NMU on the first floor (except for commercial fronting North Bend Way) is to encourage mixed uses and maximize the potential opportunities for the NMU zone. There is a tremendous demand for housing which the City continues to see and the City desires to balance that with commercial. The NMU zone is primarily adjacent to North Bend Way. The NMU zone allows many commercial uses including retail, office and restaurant. Allowing residential ground floor behind or above commercial will provide opportunities for new jobs and housing variety.

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

In accordance with NBMC 20.08.070 and .080, application 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.

The proposed amendments are consistent with the Municipal Code, and the amendments are intended to help carry out the intent of the code and provide clarification. Consistent with the purpose of Title 18 Zoning in Chapter 18.02.020 the zoning regulations are deemed necessary in order to A. Promote the interest of health, safety, morale and the general welfare; B. Secure safety from fire and to provide adequate open spaces for light and air; C. Prevent the overcrowding of land; D. Avoid undue concentration of population; E. Conserve and stabilize property values; F. Facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements, and to carry out the goals and objectives as set forth in Chapter 44, Laws of 1935, and other applicable laws of the state of Washington; G. Implement provisions of North Bend's comprehensive plan and elements thereof; and H. Meet requirements of Washington State's Growth Management Act.

As stated in NBMC 18.10.010 Zoning Districts the NMU provided a mix of commercial and residential. Pursuant to NBMC 18.10.020 D. the underlying purpose of the commercial districts (including NMU) is:

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.

6. **Consistency with NBMC 20.08.100**

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.

- a. Is the issue already adequately addressed in the Comprehensive Plan?
The amendments are to the North Bend Municipal Code and not the Comprehensive Plan. See further description on compatibility of the proposed amendments to the Comprehensive Plan above.
- b. If the issue is not addressed in the Comprehensive Plan, is there a need for the proposed change?
Yes. The amendments are intended to clarify definitions, address recent legislation, and perform misc. other amendments within Bulk and Dimensional and Performance Standards.
- c. Is the proposed change the best means for meeting the identified public need?
Yes.
- d. Will the proposed change result in a net benefit to the community
Yes. Removing unnecessary code and conflicting language makes implementation of the code simpler.

C. PUBLIC COMMENT

Two public comment letters were provided on August 19, 2025. These comment letters were from Logan Schmidt of the Master Builders Association of King and Snohomish Counties and David Toyer, President of Toyer Strategic Advisors, Inc. Annotated responses on the letters are attached to this report and reflect staff and Planning Commission responses and recommendations.

D. SUMMARY FINDINGS

- 1) Pursuant to RCW 36.70A.106, the draft amendments were forwarded to CTED- Growth Management Services on July 31, 2025.
- 2) A State Environmental Policy Act Determination of No significance was issued on August 8, 2025, and published in the Valley Record on August 8, 2025. The Environmental Checklist and SEPA Determination are available upon request.
- 3) A Public Hearing was held August 20, 2025 by the Planning Commission. No comments were made at this time. Notice of the Public Hearing was published August 8, 2025. The Planning Commission continued discussion of the amendments at their September 3, 2025 meeting.
- 4) The proposed amendments are consistent with the procedures established in the NBMC 20.08, Comprehensive Plan and Development Regulations Amendments Procedures.
- 5) The proposed amendments are consistent with and effectively carry out the policies of the Comprehensive Plan.

E. RECOMMENDATION

Staff Recommendation

The proposal is consistent with the development regulation amendment procedures in NBMC 20.08 and is supported by policies within the Comprehensive Plan. Staff recommend approval of the amendments to the NBMC Chapter 18.06 Definitions, and Chapter 18.10 Zoning Districts.

Planning Commission Recommendation

Based on the findings above and after consideration of the public comment received at the public hearing, the North Bend Planning Commission recommends **APPROVAL/DENIAL** of the proposed amendments to NBMC Chapter 18.06 Definitions, and Chapter 18.10 Zoning Districts.



August 19, 2025

Planning Commission
C/O Jamie Burrell, Senior Planner
City of North Bend
920 SE Cedar Falls Way
North Bend, WA 98045

PUBLIC COMMENTS ON CHAPTER 18.10 ZONING DISTRICTS AMENDMENTS

Dear Commissioners:

Our firm provides public and private sector clients with land use and economic development consulting in support of residential, commercial and industrial projects. We are also a proud member of the Master Builders Association of King and Snohomish counties.

In the last few years many communities in Washington have started to consider (and enact) amendments to their mixed use zones to recognize that market conditions in some areas cannot support vertically integrated commercial-residential mixed use development and greater flexibility is needed to allow horizontally mixed uses that promote a range of housing options.

That said, we applaud the city for initiating potential amendments to its Neighborhood Mixed Use (NMU) zone!

In reviewing the proposed code amendments, we have the following questions, comments and concerns:

1. The addition of a definition for “Mixed Use” on page 25 of the packet (page 17/108) contemplating that it can be horizontal or vertical mixed is a key step in allowing flexibility.
2. On page 44 of the packet (page 36/108), under “1.24 Other Multifamily Dwellings over Four Units” it appears to retain note/performance standard (6), but no such note/standard is being retained below. **Noted, agree.**
3. In Table 18.10.040, both (6)(c) and (8)(d) appear to retain standards for duplexes despite notes indicating duplexes are not permitted. This should be updated for consistency, but we would encourage the city to consider allowing duplexes as an option, especially where mixed use zones may abut existing single family residences. **Duplexes are allowed in HDR and IMU. Will remove (8)(d) height for duplex in NMU which is N/A.**
4. Given that the code specifically requires view corridors, can the city consider increasing heights above 35’ to support three story development having more diverse designs for rooflines (such a steeper rooflines) that achieve the city’s design aesthetic? **PC agreed that increased heights in certain areas could create more diverse design for roof lines. They recommended careful consideration of where especially in DC to maintain views and suggested near 190 might be ideal.**
5. On page 79 of the packet (page 71/108), we’d recommend the City amend Table 18.10.040(10)(a) to allow more than 10 multifamily units per building. This will allow for greater clustering of horizontally mixed residential units which will help retain larger areas of the site for commercial and relates uses.
Mixed Use is exempt from this provision. PC proposes to remove this restriction in the IMU zone but retain it in the HDR and NMU.
6. In performance standard 1.20(a), Multifamily Structures on page 86 of the packet (page 78/108), it’s unclear what is included in the calculation of “net” area nor is it clear whether the term “first floor residential” refers to vertically mixed structures only or if this applies to only those structures that are wholly residential.
Further: **Lot Area, Net is defined in 18.06. First floor residential could be vertical or horizontal.**

- a. "Net" should be clarified as it is not clear whether this is the typical net number commonly associated with density calculations (gross site area minus critical areas, buffers and infrastructure) or if this "net" excludes anything else. **Lot area, net is defined in 18.06 and is consistent with this comment.**
- b. The city should consider a higher net number (perhaps at least 50%) to reflect the difficulty in determining market absorption of commercial or residential uses, etc. Further, the more restrictive the city is on the total number of residential units that may be in a single building, a higher net number is needed to allow for sufficient residential densities consistent with the market.
PC recommends holding at 40%, Mountain View is around 30%.
7. In performance standard 1.20(b), it's unclear how many view corridors may be required on a site with more than 500 lineal feet of frontage, but use of plural "corridors" seems to imply more than one. This should be addressed to avoid future issues. **Code is clarified to reflect one corridor per 500 lineal feet.**
8. In performance standard 1.20(b) it is also unclear whether this requires 50% of the view corridor be open space or that 50% of the site be retained as open space. **▲ Clarified as 50% of the view corridor.**
9. Also, in performance standard 1.20(b), the city should consider that any 60 foot view corridor can be combined with a site access, which could allow for more than one such feature if there are two access points required or desired. **Clarified and is OK.**
10. Regarding performance standard 1.20(d) we repeat our comment above that the city should consider a building height limit greater than 35' to allow for three story development which would support variable roof pitches and other features that can match this aesthetic.
11. Performance standard 1.20(e) mentions duplexes, but elsewhere duplexes are not permitted. This should be clarified. We strongly recommend the city consider allowing flexibility to do a mix of housing types which help sites meet market demands and realistic absorption rates. **Performance standards are use and zone dependent.**
12. Further, regarding performance standard 1.20(e):
 - a. Can the city clarify if this should read "*Residential developments of 50 units or more, . . .*" **Will clarify**
 - b. We question both the relevance and the outcome of putting a 20% limit on the number of buildings which could have the maximum number of units. For example, in a project with 100 total units, a maximum of 2 buildings could have 10 units, but others could have 8 or 9 units. There would not be much difference in the bulk of the max buildings versus others. It is not clear why the restriction is necessary. If the city desires a range of housing types, there are better ways to emphasize this desire.
PC recommends leaving this in to create variety in building types and forms. Dahlgren has 33 buildings with 8 at 10 units, 13 at 6 units, 6 at 5 units and 6 at 4 units.
 - c. We recommend eliminating the percentage limit on the number of buildings that can have the maximum unit count. **Addressed above.**

Thank you for your time and consideration. Should you have any questions, please do not hesitate to call me at **425-322-5226** or email me at **david@toyerstrategic.com**.

Sincerely,



David Toyer
President



August 19, 2025

City of North Bend Planning Commission
920 SE Cedar Falls Way
North Bend, WA 98045

RE: Comments on Proposed Amendments to NBMC 18.06 Definitions and 18.10 Zoning Districts

Dear Chair Thiel, Vice Chair Matlock, and Commissioners:

On behalf of the Master Builders Association of King and Snohomish Counties (MBAKS), thank you for the opportunity to provide comments on the proposed amendments to NBMC Chapters 18.06 and 18.10. We commend the City for undertaking this work to modernize its code and better align with community goals around housing access and affordability. MBAKS represents more than 2,400 member companies across the region—including builders, architects, engineers, and tradespeople. Since 1909, we’ve been working together to make home happen.

We would first like to thank staff for adjusting the proposed interior side yard setback standard. The revised Footnote 10 in Table 18.10.040—which reduces the setback requirement between two multifamily buildings from 20 feet to 10 feet—is a helpful change that supports more efficient use of land and better site design flexibility.

We are also encouraged by the addition of Footnote 4, which allows the maximum residential density in a zone to be exceeded by up to 50 percent, provided the development remains entirely within an existing multifamily building envelope. This is a smart and effective approach to increasing housing supply in appropriate locations without requiring new building footprints or additional site impacts.

While we support many of the proposed changes, we offer the following comments and recommendations:

Revise the 10-Unit Limit for Multifamily Buildings in NMU and IMU Zones

In Table 18.10.040, the limitation of “no more than 10 units per multifamily building” in the Neighborhood Mixed Use (NMU) and Interchange Mixed Use (IMU) zones may unintentionally restrict the development of much-needed housing types. This cap hinders the City from accomplishing Comprehensive Plan Housing Policy H-4.2, which calls on the City to “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.”

PC recommends removing the limit for the IMU zone but maintaining for the HDR and NMU.

Additionally, this limitation may constrain flexibility under Performance Standard 1.20(e), which further limits the percentage of buildings in a development that may contain the maximum number of dwelling units. We encourage the Commission to explore a broader approach that supports a wider variety of building sizes and typologies in these zones.

PC supports maintaining this to ensure variety in type and bulk.

Clarify View Corridor and Open Space Requirements in 1.20(b)

Performance Standard 1.20(b) notes that developments with more than 500 linear feet of frontage must include “corridors” that preserve public views. However, it is unclear how many view corridors are required in these scenarios. We recommend clarifying the language to specify whether multiple corridors are required or if one corridor satisfies the requirement.



Additionally, we seek clarification on the portion of the standard stating: “At least 50 percent of the corridor shall be provided as open space.” It’s unclear whether this refers to 50 percent of the *view corridor* being retained as open space, or whether it is requiring that 50 percent of the *site* be dedicated to open space. Providing additional clarity here will ensure consistent interpretation by both applicants and staff and help reduce delays during the review process.

These will be clarified that the 50% applies to the view corridor and 1 corridor is required per 500'

Overall, MBAKS is encouraged to see North Bend advancing code changes that promote increased density, more diverse housing types, and thoughtful infill development—including in zones historically limited to single-family housing. As Washington continues to implement housing-focused legislation such as HB 1110, local code updates like these will be essential to expanding housing access and achieving long-term affordability goals.

We appreciate the City’s work on this important update and thank the Commission for considering our recommendations. MBAKS remains a committed partner in helping North Bend achieve its housing goals through clear, practical, and community-focused policies.

If you have any questions or would like to discuss further, please don’t hesitate to contact me at lschmidt@mbaks.com or 206.804.1604.

Sincerely,



Logan Schmidt
King County Government Affairs Manager
Master Builders Association of King and Snohomish Counties

CC: James Henderson, Community & Economic Development Director
Mike McCarty, Planning Manager
Jamie Burrell, Senior Planner
Caitlin Hepworth, Associate Planner

Title 18
ZONING

Chapters:

- 18.06 Definitions**
- 18.10 Zoning Districts**

2025 Amendments to Definitions and Zoning Districts

Chapter 18.06

DEFINITIONS¹

Sections:

- 18.06.010 Generally.
- 18.06.020 Interpretation.
- 18.06.030 Definitions.

18.06.010 Generally.

For the purpose of this title, certain words and terms used are defined as follows: All words used in the present tense include the future tense; all words in the plural number include the singular number, and all words in the singular number include the plural number, unless the natural construction of the wording indicates otherwise. The word "lot" includes the word "plot"; the word "building" includes the word "structure"; and the word "shall" is mandatory and not discretionary. The word "used" shall be deemed also to include "designed, intended, or arranged to be used." Unless otherwise specified, all distances shall be measured horizontally. The word "city" means the city of North Bend, in the county of King, state of Washington; the term "council" means the city council of said city; the term "planning commission" means the planning commission of the city; the term "director" means the administrative staff or their designee assigned to implement the provisions of this title pursuant to NBMC Title 2; the term "building inspector" means the building official of the city. (Ord. 1262 § 1 (part), 2006; Ord. 1256 § 1 (part), 2006; Ord. 1020 (part), 1997; Ord. 336 § 2.01, 1970).

18.06.020 Interpretation.

Where specific definitions are provided in other sections of the city code, or subchapters of this title, those definitions shall apply to those sections of the code. In the event that definitions of the words or phrases in this chapter are not clear, or where definitions are lacking words may be interpreted according to standard usage, or by reliance on other relevant city codes, standards, or state or national codes.

~~the following shall apply in order of priority:~~

~~A. Definitions provided in the most recent city-adopted International Building Code (IBC); and~~

~~B. Definitions in Webster's New World College Dictionary, Third Edition, copyright 1996. In the event that definitions of words or phrases remain unclear and/or are not addressed by the former documents, interpretation provisions of NBMC 18.04.030 shall apply. (Ord. 1262 § 1 (part), 2006; Ord. 1256 § 1 (part), 2006; Ord. 1020 (part), 1997).~~

18.06.030 Definitions.

A. "A."

1. "Abutting zones" means zoning districts sharing a common boundary. For purposes of landscaping and setback requirements, zones shall not be deemed abutting where the common boundary is at or within a street, railroad, trail, or other designated right-of-way.

2. "Accessory building" means a structure that is accessory to that of the dwelling(s) and that is located on the same lot. ~~subordinate building, with separate means of egress, the use of which is incidental to the use of the main building and which is located on the same lot or on a contiguous lot, adjoining the principal lot, on most of one side.~~

3. ~~"Accessory dwelling unit" or "ADU" means a year-round dwelling unit detached or attached to a single-family housing unit, duplex, triplex, townhome, cottage, or other housing unit. ADUs are no larger than 1,000-square feet. ADUs must provide permanent provisions for living, sleeping, eating, cooking, and sanitation, have an independent means of access, and must be located on the same lot as a principal housing unit. ADUs may also be above a garage, provided the parking bays may not be converted to living space. An ADU may be allowed for sale by condominium pursuant to RCW 36.70A.681(1)(k).~~

2025 Amendments to Definitions and Zoning Districts

3. "Accessory Industrial Uses" means uses or structures that are subordinate and incidental to a primary industrial use on the same site, such as employee facilities, offices, or on-site storage that directly supports the principal industrial operation.

4. "Accessory use" means a use that is customarily associated with, and is incidental and subordinate to, the primary use and located on the same parcel as the primary use. ~~means a use incidental and subordinate to the principal use and located on the same lot or in the same building as the principal use.~~

5. "Administrative adjustment to standards" refers to the authority of the director of community services and/or his or her designee to change selected bulk and dimensional standards as outlined in procedures and criteria in the table of bulk and dimensional standards. An administrative adjustment may have similar or exact results, but is not the same mechanism as a variance, which may only be granted by the hearing examiner.

6. "Adult entertainment facilities" means enterprises predominantly involved, for commercial purposes, in the selling, renting, or presenting of books, magazines, motion pictures, films, video cassettes, cable television, live entertainment, performance, or activity distinguished or characterized by a predominant emphasis on the depiction, simulation, or relation to "specified sexual activities" as defined in this chapter for observation by patrons therein. Examples of such facilities include, but are not limited to, adult book or video stores and establishments offering panoramas, peep shows, or topless or nude dancing.

7. "Adult family home" means a dwelling, licensed by the State of Washington Department of Social and Health Services, in which a person or persons provide personal care, special care, room and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services. An existing adult family home may provide services to up to eight adults upon approval from the Department of Social and Health Services in accordance with RCW 70.128.066. ~~means a regular family abode in which a person or persons provides personal care, special care, room and board to more than one but not more than six adults who are not related by blood or marriage to the person or persons providing the services as regulated by the Department of Social and Health Services in Chapter 70.128 RCW and Chapter 388-76 WAC. An adult family home may provide services to up to eight adults upon approval from the Department of Social and Health Services under RCW 70.128.066. Secure community transition facilities are not considered adult family homes.~~

8. "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. ~~owner-occupied or rental housing built on a site that was designated at the time of development approval, to accommodate a scale and finish of structure as stated in the development approval, that is intended to be affordable by households making no more than 80 percent of the median household income for the city of North Bend as calculated using the U.S. Department of Housing and Urban Development (HUD) methodology, assuming standard Federal Housing Administration lending criteria and minimum down payments when applicable, at the time of development approval.~~

9. "Agricultural land" means land meeting any one or more of the following definitions:

a. Land primarily devoted to commercial production of horticultural, viticultural, floricultural, dairy, apiary, vegetable, or animal products or of berries, grain, hay, straw, turf, seed, Christmas trees not subject to the excise tax imposed by RCW 84.33.130 through 84.33.140, finfish in upland hatcheries, or livestock, and that has long-term commercial significance for agricultural production; or

b. Land that is currently in use for agriculture as evidenced by its current enrollment in the open space taxation program pursuant to Chapter 84.34 RCW.

10. "Agricultural land productivity" means:

a. Any parcel of land that is 20 or more acres or multiple parcels of land that are contiguous and total 20 or more acres;

Commented [JB1]: Definition per RCW and consistent with Comp Plan

Commented [JB2]: Old reference and definition. Defined already under use 6.40 Farmland, see below.

- i. Devoted primarily to the production of livestock or agricultural commodities for commercial purposes; or
 - ii. Enrolled in the federal conservation reserve program or its successor administered by the United States Department of Agriculture; or
 - iii. Other similar commercial activities as may be established by rule; or
- b. Any parcel of land that is five acres or more but less than 20 acres devoted primarily to agricultural uses, which has produced a gross income from agricultural uses equivalent to, as of January 1, 1993:
- i. One hundred dollars or more per acre per year for three of the five calendar years preceding the date of application for classification under this chapter for all parcels of land that are classified under this subsection or all parcels of land for which an application for classification under this subsection is made with the granting authority prior to January 1, 1993; and
 - ii. On or after January 1, 1993, \$200.00 or more per acre per year for three of the five calendar years preceding the date of application for classification under this chapter.

914. "Alley" means an improved thoroughfare, right-of-way, or easement, narrower than a street, that provides vehicular and nonmotorized access to an interior boundary of one or more lots, and is not designed for general traffic circulation.

1042. "Alterations" means any construction, retrofit or renovation to an existing structure other than repair or addition that requires a permit. Also, a change in a building, electrical, gas, mechanical or plumbing system that involves an extension, addition, or change to the arrangement, type or purpose of the original installation that requires a permit, a change or rearrangement of the structural parts of existing facilities, or an enlargement by extending the sides or increasing the height or depth, or the moving from one location to another. In buildings for business, commercial, industrial or similar uses, the installation or rearrangement of partitions affecting more than one-third of a single floor area shall be considered an alteration.

1143. "Anchor store" means commercial establishments including but not limited to antique shops, banks and financial institutions, bookstores, microbreweries, business offices, furniture/appliance stores, general stores (but not convenience stores), hardware stores, health clubs, pharmacies, and professional offices.

1244. "Art Gallery" means a retail use that includes sales and exhibition of artwork with small-scale production of artwork and instruction on-site.

13. "Apparel, Fabric, Accessories and Leather Goods" means the process of a series of stitches that joins two or more plies of material. The edges of fabric, leather, or other material is joined by sewing (machine) in a variety of stitches to create a product.

14. "Assisted living facility" means a home or other institution, licensed by the State of Washington, providing housing, basic services and assuming general responsibility for the safety and well-being of residents under chapters 18.20 RCW and 388-78A WAC. means any facility that provides either temporary or permanent residence for senior citizens and which provides opportunities for common dining areas, although some facilities may offer kitchen facilities in the individual units as well. Some assisted care facilities may offer minor health services on site, such as a resident nurse.

15. "Athletic Field/Sports Facilities" means outdoor or indoor facilities developed for organized sports or recreational activities, such as fields, courts, or tracks, which may include seating, lighting, and accessory buildings.

16. "Attached, structure or building" means a structure or building joined or fastened to another structure or building by any means to become one continuous structure or building.

2025 Amendments to Definitions and Zoning Districts

17. “Auto Rentals and Leasing” A retail establishment renting or leasing passenger cars and vans to the general public for both long term and short-term periods.

B. “B.”

1. “Banks and Financial Institutions” means an organization, whose purpose is to collect, invest and distribute funds, facilitate financial transactions, and to provide various financial services.

2. “Bars and Taverns (Including Microbreweries and Wineries) means an establishment that sells or serves alcoholic beverages for consumption on the premises and is holding a Washington State Liquor license. References to the establishment shall include any immediately adjacent area that is owned, leased, rented, or controlled by the licensee. This use includes wine tasting rooms and micro-breweries where alcoholic beverages are sold on site and any food service is subordinate to the sale of alcoholic beverages. This definition does not include adult entertainment businesses.

3. “Base elevation” means the average elevation of a minimum of three and a maximum of eight points evenly distributed around the perimeter of a building where corners of the building intersect the original topography. Wing walls, decks, abutments, bay windows, and similar architectural features shall not be considered walls for the purpose of this calculation.

4. “Basement” means that portion of a building partly underground and having at least one-half of its height more than five feet below the adjoining finished grade.

5. “Battery charging station” means an electrical component assembly or cluster of component assemblies designed specifically to charge batteries within electric vehicles, which meets or exceeds any standards, codes, and regulations set forth by Chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.

6. “Battery exchange station” means a fully automated facility that will enable an electric vehicle with a swappable battery to enter a drive lane and exchange the depleted battery with a fully charged battery through a fully automated process, which meets or exceeds any standards, codes, and regulations set forth by Chapter 19.27 RCW and consistent with rules adopted under RCW 19.27.540.

7. “Bed and breakfast establishment” means a single-family dwelling unit and/or accessory building within which bedrooms are available for paying guests, subject to the provisions of this code.

8. “Board of adjustment” means a quasi-judicial body, created under Chapter 2.20 NBMC, empowered to hear appeals from orders or determinations made by an administrative official charged with the enforcement of this title and to vary or modify certain provisions of this title relating to the use, construction or alteration of buildings or structures or the use of land, so that the spirit of this title is observed, public safety and welfare secured, and substantial justice done.

9. “Boarding house,” also known as co-living housing, means a residential development with sleeping units that are independently rented and lockable and provide living and sleeping space, and residents share kitchen facilities with other sleeping units in the building, residential dwelling or part thereof, in which lodging is provided by the owner to not more than two boarders.

10. “Boat and Watercraft Sales and Services” means the sale, rental and incidental repairs of watercraft, including but not limited to, jet skis, canoes, motorboats, and sailboats.

11. “Buffer strip” means an open space used to physically separate and/or visually screen different land uses or properties from one another for a variety of environmental management purposes. May include “buffer” areas as defined in NBMC 14.05.200 and 14.05.115. Buffer strips may be natural or improved with landscaping or other amenities.

12. “Building” means any structure utilized or intended for supporting or sheltering any occupancy, having a roof but excluding all forms of vehicles even though immobilized. When a use is required to be within a building, or where special authority granted pursuant to this title requires that a use shall be within an entirely enclosed building, then the term “building” means one so designed and constructed that all exterior walls of the

Commented [JB3]: Addressed under EV

2025 Amendments to Definitions and Zoning Districts

~~structure shall be solid from the ground to the roof line, and shall contain no openings except for windows and doors that are designed so that they may be closed.~~

~~10; 12.~~ “Building area” means the total ground coverage of a building or structure that provides shelter measured from the outside of its external walls or supporting members or if such areas are included within the horizontal projections of the roof or floors above or from a point four feet in from the outside edge of a cantilevered roof, whichever covers the greatest area.

~~11; 13.~~ “Building coverage” means area of a lot that is covered by the total horizontal surface area of the footprint or foundation of a building.

~~12; 14.~~ Building Height. See “Height, building.”

~~13; 15.~~ “Building inspector” means a duly appointed officer of the city charged with the administration and enforcement of the provisions of this title.

~~14; 16.~~ “Building line” means the line established by law, beyond which a building shall not extend, except as specifically provided by law of that face, corner, roof or part of a building nearest the property line.

~~17.~~ “Business Services” means an establishment providing goods and services to other businesses on a fee or contract basis, including, for example, printing and copying, blueprint services, advertising and mailing, equipment rental and leasing, office security, custodial services, photo finishing, model building, taxi, or delivery services.

~~18.~~ Business & Professional Offices* defined under Professional Offices

C. “C.”

~~1.~~ “Carport” means a structure to house or protect motor vehicles typically with open sides that is usually attached to the side of the building or may be an independent accessory structure owned or operated by the occupants of the main building and which has at least 40 percent of the total area of its sides open to the weather.

~~2.~~ “Car Wash” means a facility used for washing waxing, detailing, or cleaning of automobiles and/or similar light vehicles, including self-serve washing facilities.

~~2; 3.~~ “Certificate of occupancy” means a permit to occupy a premises issued by the ~~b~~Building Official~~inspector~~ after inspection has verified compliance with the requirements and provisions of this title and applicable building codes.

~~3; 4.~~ “Charging levels” means the standardized indicators of electrical force, or voltage, at which an electric vehicle’s battery is recharged. The terms “1,” “2,” and “3” are the most common EV charging levels, and include the following specifications:

- a. Level 1 is considered slow charging, and typically operates on a 15- or 20-amp breaker on a 120-volt AC circuit and standard outlet.
- b. Level 2 is considered medium charging, and operates on a 40-amp to 100-amp breaker on a 208- or 240-volt AC circuit.
- c. Level 3 is considered fast or rapid charging, and typically operates on a 60-amp or higher dedicated breaker on a 480-volt or higher three-phase circuit with special grounding equipment.

~~5.~~ Check Cashing/Quick Loans: A business that allows consumers to cash checks without a bank account.

~~6.~~ “Child day care center” means an agency which regularly provides care for a group of children for periods of less than 24 hours in conformance with the requirements in ~~Chapter 74.15-RCW 43.216.010.~~

2025 Amendments to Definitions and Zoning Districts

7. “Christmas Tree Farm” means land used for the cultivation and seasonal harvest of Christmas trees, including associated growing and replanting activities.

8. “Churches and Religious Institutions” means facilities used for religious worship, spiritual instruction, and associated community activities, including sanctuaries, fellowship halls, and classrooms.

9. “City Hall and/or Public Works” means facilities used for municipal governance, public administration, or the operation and maintenance of public infrastructure, including offices, yards, and equipment storage.

10. “Clinic” means a building designed and used by a chiropractor, naturopathic physician, osteopathic physician, medical, dental or surgical diagnosis or treatment of patients under the care of doctors and/or nurses.

11. “Club” means an incorporated or unincorporated association of persons organized for a social, fraternal, athletic, educational, literary or charitable purpose. Property occupied by a club shall be deemed to be semiprivate in character and shall be subject to the regulations governing public buildings and places, excluding groups organized primarily to render a service which is normally considered a business.

12. “Commercial, downtown scale” means any single commercial use building, excluding full-service supermarkets and hotels/motels, with a gross floor area of 5,000 square feet or less, or a shopping complex with a single building, excluding full-service supermarkets, 8,000 square feet or less and a cumulative square footage of less than 20,000 square feet gross floor area. Individual downtown commercial buildings may be up to 10,000 square feet if considered “anchors.”

12. “Commercial Farm – Produce and Related” means land used for the commercial production and sale of fruits, vegetables, and other edible crops, either for wholesale or retail distribution.

13. “Commercial Greenhouse – Wholesale” means a facility designed for the controlled-environment cultivation of plants, flowers, or crops for commercial wholesale distribution.

15. “Commercial, interchange scale” means any single commercial use building with a gross floor area over 10,000 or a shopping complex with any single building over 8,000 square feet gross floor area, and a cumulative square footage of 20,000 square feet gross floor area or greater. For permitted land uses interchange commercial may include buildings and/or shopping complexes less than 10,000 square foot gross floor area and 20,000 square foot gross floor area, respectively.

16. “Commercial, neighborhood scale” means any single commercial use building with a gross floor area of 5,000 square feet or less, or a shopping complex with any single building 5,000 square feet gross floor area or less, and a cumulative square footage of less than 12,500 square foot floor area.

10. “Commercial, planned neighborhood district scale” means any single commercial use building within a PND overlay with a gross floor area of 2,500 square feet or less, or a cumulative square footage of commercial buildings in a single PND overlay less than 12,500 square feet gross floor area.

14. “Commercial truck center/service area” means a commercial facility which provides refueling, rest area, day or overnight truck parking, food, truck maintenance services and other services for the commercial freight and truck industry and associated drivers.

15. “Commercial use” means an activity with goods, merchandise or services for sale or involving a rental fee.

16. “Commercial vehicle” means a motor vehicle used for purposes other than a family car, such as a taxi, delivery, or service vehicle.

17. “Comprehensive pPlan” means a generalized coordinated land use policy statement of the governing body of a county or city that is adopted pursuant to the Growth Management Act, Chapter 36.70A RCW. When used in this title the term shall refer to the city of North Bend Comprehensive Plan.

18. Conference Centers and Event Venues means facilities designed to host events and gatherings for which a fee or charge is paid for use of the facility. Convention centers are large event venues designed specifically to

Commented [JB4]: Terms “Commercial...” not used in code, more descriptive than definition.

2025 Amendments to Definitions and Zoning Districts

host large corporate events such as trade fairs, expos, conferences, exhibitions, gala events, summits, and concerts, at a larger scale.

19. “Construction Company Yard” means the yard or facility for a business which may construct a variety of buildings, infrastructure, facilities, roads and other types of projects. The Storage Yard must be incidental to the construction company building and use and meet all performance standards.

20. “Convenience Store” means a retail establishment offering for-sale prepackaged food and beverage products, household items, newspapers and magazines, and sandwiches and other freshly prepared foods, such as salads, for off-site consumption.

21. 15- “Conditional use” means a use permitted in one or more zones as defined by this title, but which, because of characteristics peculiar to such use, or because of size, technological processes or equipment, or because of the exact location with reference to surroundings, streets, and existing improvements or demands upon public facilities, requires a special degree of control to make such uses consistent with and compatible to other existing or permissible uses in the same zone or zones. A “conditional use” is a form of special exception.

22. 16- “Conditional use permit” means the documental evidence of authority granted by the board of adjustment to locate a conditional use at a particular location.

23. 17- “Cottage” means a detached, single-family dwelling unit 1,500 square feet or less in size.

24. 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, Medium Density Residential. The development site is designed with a coherent concept in mind with shared functional open space and facilities.

28. 19- “Court” means an open, ~~unoccupied~~ uncovered space, other than a yard, on the same lot with a building or buildings and which is bounded on ~~two~~three or more sides by exterior building walls of other enclosing devices such as such building or buildings, including the open space in a house, ~~court~~ or apartment, providing access to the units thereof.

D. “D.”

1. “Design guidelines” means standards and principles relating to a variety of land use and community elements, including but not limited to site design, building design, landscaping, parking, signage, and pedestrian amenities, as found in North Bend’s design review regulations, Chapter 18.34 NBMC, and within the City’s Form Based Code adopted by reference.

2. “Detached accessory dwelling unit” means an accessory dwelling unit that is partly or entirely part of a building that is separate and detached from a principal housing unit, such as a single-family unit, duplex, triplex, townhome, cottage, or other housing unit. A detached accessory dwelling unit located attached to or above a nonresidential, freestanding structure on the property is considered detached. For example:

a. A freestanding garage with an accessory dwelling unit is a detached accessory dwelling unit.

b. A freestanding accessory dwelling unit may share a wall with a second freestanding accessory dwelling unit and meet the adopted definition of “detached accessory dwelling unit.”

2. 3- “Detached building” means a building that is not attached to any other building.

3. 4. “Development” means any manmade alteration of unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, storage of equipment and materials and subdivision of land. For properties within the floodplain, development also includes the removal of more than five percent of the native vegetation on the property, or alteration of natural site characteristics.

2025 Amendments to Definitions and Zoning Districts

4. 5. “Development agreement” means an agreement that sets forth the development standards and other provisions that shall apply to and govern and vest the development, use, and mitigation of the development of the real property for the duration specified in the agreement. A development agreement shall be consistent with applicable development regulations adopted by a local government planning under Chapter 36.70A RCW. A development agreement may be with a person having ownership or control of real property within the city’s jurisdiction or for real property outside its boundaries as part of a proposed annexation or a service agreement.

5. 6. “Dock” means a basin for moorage of boats, including a basin formed between the extension of two piers or the area between a bank or quay and a pier. Docking facilities may include wharves, moorage or docks or any place or structure connected with the shore or upon shorelands provided for the securing of a boat or vessel.

6. “Dwelling, Accessory dwelling unit” or “ADU” means a year-round dwelling unit detached or attached to a single-family housing unit, duplex, triplex, townhome, cottage, or other housing unit. ADUs are no larger than, no larger than 1,000 square feet. ADUs must provide permanent provisions for living, sleeping, eating, cooking, and sanitation, have an independent means of access, and must be located on the same lot as a principal housing unit. ADUs may also be above a garage, provided the parking bays may not be converted to living space. An ADU may be allowed for sale by condominium pursuant to RCW 36.70A.681(1)(k).

7. “Dwelling, Attached accessory dwelling unit” unit means an accessory dwelling unit located within or attached to a principal housing unit such as a single-family unit, duplex, triplex, townhome, cottage, or other housing unit. The attached accessory dwelling unit must be affixed to the residential structure on the property.

8. “Dwelling, Detached accessory dwelling unit” means an accessory unit that is partly or entirely of a building that is separate and detached from a principal housing unit, such as a single-family unit, duplex, triplex, townhome, cottage, or other housing unit. A detached accessory dwelling unit located attached to or above a non-residential, freestanding structure on the property is considered detached. For example:

a. A freestanding garage with an accessory dwelling unit is a detached accessory dwelling unit.

b. A freestanding accessory dwelling unit may share a wall with a second freestanding accessory dwelling unit and meet the adopted definition of “detached accessory dwelling unit”.

9. “Dwelling, duplex” means a building containing two dwelling units totally separated from each other as regulated by the IRC by a common wall ~~an unpiereed wall~~ extending from ground to roof. Duplex units may have separate legal lots.

10. “Dwelling, multifamily” means a building containing ~~two or more~~ more than two dwelling units, ~~including units that are located one over the other.~~ Multifamily dwellings typically occupy one common legal lot, however, as with duplexes ~~or condos or Townhomes~~, they may have separate legal lots.

11. “Dwelling, single-family” means a detached building designed for and occupied exclusively by one family and the household ~~employees~~ of that family, as regulated by the IRC.

E. “E.”

1. “Eave” means the edge of a roof that projects beyond the wall.

2. “Educational institution” means a junior college, college, university, technical institute, or other learning institution, either public or private, providing instruction to students, but excluding childcare/day care centers, preschool/kindergartens, and elementary, junior high, and high schools.

3. “Electric vehicle” means any vehicle that operates, either partially or exclusively, on electrical energy from the grid, or an off-board source, that is stored on board for motive purpose. “Electric vehicle” includes a battery electric vehicle, a plug-in hybrid electric vehicle, a neighborhood electric vehicle, and a medium-speed electric vehicle.

2025 Amendments to Definitions and Zoning Districts

- a. “Battery electric vehicle” or “BEV” means any vehicle that operates exclusively on electrical energy from an off-board source that is stored in the vehicle’s batteries, and produces zero tailpipe emissions or pollution when stationary or operating.
- b. “Plug-in hybrid electric vehicle” or “PHEV” means an electric vehicle that (i) contains an internal combustion engine and also allows power to be delivered to drive wheels by an electric motor; (ii) charges its battery primarily by connecting to the grid or other off-board electrical source; (iii) may additionally be able to sustain battery charge using an on-board internal-combustion-driven generator; and (iv) has the ability to travel powered by electricity.
- c. “Neighborhood electric vehicle” means a self-propelled, electrically powered four-wheeled motor vehicle whose speed attainable in one mile is more than 20 miles per hour and not more than 25 miles per hour and conforms to federal regulations under Title 49 C.F.R. Part 571.500.
- d. “Medium-speed electric vehicle” means a self-propelled, electrically powered four-wheeled motor vehicle, equipped with a roll cage or crush-proof body design, whose speed attainable in one mile is more than 25 miles per hour but not more than 35 miles per hour and otherwise meets or exceeds the federal regulations set forth in 49 C.F.R. Part 571.500.

4. “Electric vehicle charging station” means a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle. An electric vehicle charging station equipped with Level 1 or Level 2 charging equipment is permitted outright as an accessory use to any principal use.

- a. “Electric vehicle charging station – restricted” means an electric vehicle charging station that is (i) privately owned and restricted access (e.g., single-family home, executive parking, designated employee parking), or (ii) publicly owned and restricted (e.g., fleet parking with no access to the general public).
- b. “Electric vehicle charging station – public” means an electric vehicle charging station that is (i) publicly owned and publicly available (e.g., park and ride parking, public library parking lot, on-street parking), or (ii) privately owned and publicly available (e.g., shopping center parking, nonreserved parking in multifamily parking lots).
- c. “Electric vehicle charging station – accessible” means an electric vehicle charging station that has been sized, designed and located consistent with Americans with Disabilities Act (ADA) requirements for persons with disabilities.

5. “Electric vehicle infrastructure” means structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations, rapid charging stations, and battery exchange stations.

6. “Electrical distribution substation” means an assembly of equipment designed to receive energy from a high voltage distribution supply system, to convert it to a form suitable for local distribution and to distribute the energy to feeders through switching equipment designed to protect the service from the effects of faults.

7. “Emergency Housing” means temporary indoor accommodations for individuals or families who are homeless or at immediate risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs to individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

~~8. 7.~~ “Essential use” means that use for the preservation or promotion of which the use district was created, and to which all other permitted uses are subordinate.

9. “Existing building” means a building erected prior to the date of adoption of the appropriate code, or one for which a legal building permit has been issued.

F. “F.”

2025 Amendments to Definitions and Zoning Districts

1. "Family" means one or more persons living together, or one or more disabled persons protected by the Fair Housing Amendments Act (42 U.S.C. Section 3601 et seq.) living together. Except for disabled persons as described above, in no case shall a family include more than six persons who are not related by genetics, adoption or marriage and none of whom are wards of the court.

2. "Family day care provider" means a child day care provider who regularly provides child day care for not more than 12 children in the provider's home in the family living quarters as defined in RCW 43.216.010 ~~74.15.020~~.

3. "Farmers Market" means a temporary marketplace, either indoors or outdoors, for the display and sale of produce, non-food items, and other agricultural products such as, but not limited to, fresh produce, nuts, honey, shell eggs, flowers, and nursery stock.

4. "Farmland – Pasture, Crop Uses" means agricultural land used for grazing livestock or growing crops for harvest, excluding intensive enclosed farming operations. "Agricultural land" is broadly defined as land primarily used for commercial agricultural production, including crops, livestock, and other agricultural products. It can also include land enrolled in specific federal conservation programs. The definition varies slightly depending on the specific context (e.g., zoning, taxation), but generally, it involves land actively used for farming or ranching with the intent of generating a commercial return.

~~5.~~ 3. "Floor area" means the sum of the gross horizontal areas of the floors of a building or buildings, measured from the exterior faces of exterior walls and from the centerline of division walls. Floor area shall include basement space, elevator shafts and stairwells at each floor, mechanical equipment rooms or attic spaces with headroom of seven feet six inches or more, penthouse floors, interior balconies and mezzanines, and enclosed porches. Floor area shall not include accessory water tanks and cooling towers, mechanical equipment or attic spaces with headroom of less than seven feet six inches, exterior steps or stairs, terraces, breezeways and open spaces.

~~6.~~ 4. "Floor area ratio" means a measure of development intensity equal to the gross floor area (FA), divided by net on-site land area (LA) ($FAR = FA/LA \times 100$). Net on-site land area includes the area of an easement but does not include steep slopes and buffers, streams and buffers, rivers and buffers, floodways, wetlands and buffers, and public right-of-way.

~~7.~~ 5. "Forest land" means land primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, including Christmas trees subject to the excise tax imposed under RCW ~~84.33.100 through 84.33.140~~, and that has long-term commercial significance.

In determining whether forest land is primarily devoted to growing trees for long-term commercial timber production on land that can be economically and practically managed for such production, the following factors shall be considered:

- a. The proximity of the land to urban, suburban, and rural settlements;
- b. Surrounding parcel size and the compatibility and intensity of adjacent and nearby land uses;
- c. Long-term local economic conditions that affect the ability to manage for timber production; and
- d. The availability of public facilities and services conducive to conversion of forest land to other uses.

~~-~~ 8. "Funeral Home/Mortuary" means an establishment primarily engaged in the provision of services involving the case, preparation, or disposition of human remains and conducting memorial services. Typical uses include mortuaries, funeral chapels, and funeral homes.

G. "G."

1. "Garage, commercial" means a building or portion thereof designed and used for the storage, repair or servicing of motor vehicles or boats as a business.

2025 Amendments to Definitions and Zoning Districts

2. “Golf – Driving Range” means a facility primarily used for practicing golf shots by hitting balls into an open field from a fixed tee area, with or without target areas or distance markers

3. “Golf – Course (9 to 18 Hole)” means a landscaped area developed for the sport of golf, typically consisting of 9 to 18 holes and including greens, fairways, tee boxes, and support or associated sales facilities.

4. “Government Office” means a facility operated by a local, state, or federal government entity for administrative and public service functions.

5. 2. “Gasoline sales/service station” means premises used for the sale of gasoline or other motor fuels, oils, lubricants, and auto accessories which may or may not include washing and minor automobile repair, but not auto body work or painting.

6. 3. “Green roof” or “living roof” means a roof of a building that is partially or completely covered with vegetation and a growing medium, planted over a waterproofing membrane.

7. 4. “Greenbelt/greenway” means an open space area, typically linear in configuration, that may follow a geographic feature, is designed to buffer land uses from one another, and sometimes to link destination points.

8. “Grocery/Supermarket” means a retail business where most of the floor area that is open and accessible to the public is occupied by produce, food and beverage products, and household items that are packaged for preparation and consumption away from the site of the store.

H. “H.”

1. Hardware store” means a store selling tools, implements, and other items used in home life, light construction tasks, and activities such as gardening.

2. “Health Club (Including Dance, Exercise Studio)” means an indoor facility where passive or active exercises and related activities are performed using minimal muscle-building equipment or apparatus for the purpose of physical fitness, improved circulation or flexibility, and/or weight control. Examples of uses may include Pilates, personal training, dance, yoga, and martial arts studios. A larger fitness facility may also include any of the following: sauna, spa, or hot tub facilities; weight rooms; indoor tennis, handball, or racquetball courts; rock climbing wall, boxing ring, cheerleading, aerobic classes; and other indoor sports activities; and locker rooms and showers.

3. 4. “Height, building” means the vertical dimension distance of a structure measured from the average finished grade base elevation to the top of the highest parapet wall, cornice, or coping of a flat roof. For sloping roofs, the height shall be measured to the midpoint of the highest gable or sloped plane. Where a building with multiple occupancies is located on a site which exceeds a slope of five percent, the calculation of height may be determined independently for each separately occupied space. For properties within the floodplain, building height is measured from the flood protection level/lowest floor elevation. For properties that are built to back of sidewalk on lots that slope the finished grade may be measured from the sidewalk elevation.

4. “Heavy equipment” means 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.

5. 2. “Home occupation” means any use permitted by the terms of this code conducted entirely within a dwelling and carried on by the permanent resident(s) thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof.

6. 3. “Home, retirement” means a place of residence for several families or individuals in apartment-like quarters, rented, cooperative, or condominium, which may feature services to retired persons, such as limited nursing facilities, minimum maintenance living accommodations, and recreation programs and facilities.

2025 Amendments to Definitions and Zoning Districts

7. “Homes for the elderly and related” includes but is not limited to assisted living facilities, nursing homes, and retirement homes, subsidized through government programs or not, as defined in this chapter.

8. ~~5.~~ “Hospital” means an establishment which provides accommodations, facilities and services over a continuous period of 24 hours or more, for observation, diagnosis and care of two or more individuals, not related by blood or marriage to the operator, who are suffering from illness, injury, deformity or abnormality, or from any condition requiring obstetrical, medical or surgical services.

9. ~~6.~~ “Hotel” means any building or portion thereof containing five or more rooms that are rented or hired out to be occupied for sleeping purposes for compensation, whether the compensation is paid directly or indirectly. A central kitchen and dining room and accessory shops and services catering to the general public can be provided. Not included are institutions housing persons under legal restraint or requiring medical attention or care.

I. “I.”

1. “Impervious surfaces” means hard surface areas which prevent or retard the entry of water into the soil mantle, and/or which cause water to run off in greater quantities or at an increased rate of flow from that present prior to development. Impervious surfaces include, but are not limited to, roof tops, walkways, patios, decks (covered and open are both considered impervious), pools, driveways, parking lots or storage areas, concrete or asphalt paving, gravel roads (not gravel driveways or trails), packed earthen materials, rockeries and oiled macadam or other surfaces which impede the natural infiltration of surface and stormwater runoff. Open retention and detention facilities shall not be considered as impervious surfaces.

2. “Industrial and Related Equipment – Sales” means a business that is selling products and machinery that manufacturing companies and factories use to build and sell their merchandise. Industrial products are sold at high-value price points and in bulk. For instance, the selling of machinery and parts used to build airplanes would be categorized as an industrial sale.

3. 2. “Indoor emergency housing” means 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.

4. ~~3.~~ “Indoor emergency shelter” means a facility that provides a temporary shelter for individuals or families who are currently homeless. Emergency shelter may not require occupants to enter into a lease or an occupancy agreement. Emergency shelter facilities may include day and warming centers that do not provide overnight accommodations.

5. “Indoor Shooting Range (Gun and Archery)” means a totally enclosed facility designed to offer a totally controlled shooting environment that includes impenetrable walls, floor and ceiling, for the discharge of firearms.

6. “Industrial” Industrial Land uses consist of uses that involve manufacturing, processing, fabrication, and/or storage of natural and manmade materials and the use and storage of equipment involved in such purposes. Light industrial land uses are a subset of industrial uses that are generally less capital intensive, smaller in scale, and have less potential impact to adjacent properties.

7. 4. “Innovative housing” includes cottage dwellings built separately or in combination with a traditional single-family housing development to provide small housing unit alternatives with potential for greater affordability relative to the traditional single-family homes.

8. ~~5.~~ “Interim housing facilities” are those facilities that provide temporary housing for homeless persons.

9. “International Building Code” establishes minimum requirements for all structures and building not regulated by the International Residential Code.

2025 Amendments to Definitions and Zoning Districts

10. “International Residential Code” is a comprehensive code comprising the requirements for One- and Two-family dwellings and townhouses up to three stories.

J. “J.”

1. “Junk” means any scrap, waste, reclaimable material, or debris, whether or not stored, for sale or in the process of being dismantled, destroyed, processed, salvaged, stored, baled, disposed, or other use or disposition. Does not include motor vehicles.
2. “Junkyard” means any area, lot, land, parcel, building, or structure, or part thereof, used for the storage, collection, processing, purchase, sale, salvage, or disposal of junk. Does not include motor vehicle wrecking and salvage yards.

K. Reserved.

L. “L.”

1. “Land development proposal” shall include, but not be limited to:
 - a. All administrative and quasi-judicial land development permits and/or approvals outlined in Table 20.01.004.
 - b. Annexations, rezones, developer extension agreements, extension of city utility service, business licenses involving the change of use of a building.

The term “land development proposals” is intended to be construed broadly and to include all city permits and/or city approvals which may be associated with a development project; provided, it shall not include recommendations or requests for amendments to North Bend’s land use codes.

- ~~2. “Landscape buffer to agricultural/forest lands” means buffers that include the following:~~
 - ~~a. Minimum of 150 feet wide;~~
 - ~~b. Include rights-of-way;~~
 - ~~c. Create a visual screen by landscaping; and~~
 - ~~d. Permit several uses within the buffer to include: screens, berms, parking and access routes, fences, utilities, storm ponds, nonoccupied accessory structures. Occupied structures (residential, commercial, and industrial) are a nonconforming use. NBMC 18.30.040 applies for repairs or restoration of nonconforming use if damaged.~~
2. “Library” means a facility operated by a public or institutional entity that provides books, media, internet access, and educational programming for the general public.
3. “Lot” means a legally established single parcel of land.
4. “Lot area, gross” means the total horizontal area within the boundary lines of a lot. Gross density is the number of total residential units divided by total development land area including all infrastructures (streets, alleys, stormwater), open spaces and parks.
5. “Lot area, net” means the gross lot area including the area of an easement but does not include steep slopes (greater than 40 percent with a vertical elevation change greater than 10 feet) and buffers, streams and buffers, rivers and buffers, floodways, wetlands and buffers, and public right-of-way.
6. “Lot, corner” means a lot at the junction of and fronting on two or more intersecting streets.
7. “Lot depth” means the average dimension of a lot from the front lot line to the rear lot line.

2025 Amendments to Definitions and Zoning Districts

8. "Lot, interior" means a lot fronting on one street.

9. "Lot line, front" means the lot line separating a lot from a street right-of-way. The front lot line on a corner lot that fronts on two streets shall be the line abutting the street on which the building's address is assigned, or, if no building address, the line having the narrower frontage.

10. "Lot line, rear" means the lot line opposite and most distant from the front lot line. In the case of triangular or otherwise irregularly shaped lots, a line 10 feet in length entirely within the lot, parallel to and a maximum distance from the front lot line.

11. "Lot line, side" means any lot line other than a front or rear lot line.

12. "Lot, through" means a lot fronting on two streets that do not intersect on the parcel's lot lines.

13. "Lot width" means the dimension of the lot line at the street, or in an irregular-shaped lot the dimension across the lot at the building line, or in a corner lot, the narrow dimension of the lot at a street or building line.

14. "Lumber and Associated Sales" means an establishment primarily engaged in the retail sale or rental of building materials, with incidental sales or rentals of related equipment. This classification is principally devoted to taxable retail sales to individuals for personal use and may include accessory retail sales of nursery and garden products.

"M."

1. "Main building facade" means the front elevation of a structure with the highest cumulative horizontal width, except porch wall enclosures shall not be counted in determining cumulative horizontal width.

2. "Major utility facilities" include facilities which potentially have a significant impact on adjacent properties, including but not limited to water towers and reservoirs; overhead transmission lines greater than 55 kV; electric substations; underground gas, oil, or other petroleum transmission pipelines; wastewater treatment facilities; television and radio transmission towers and appurtenances; cable television receiver and transmission facilities, cellular communications towers; telecommunication facilities requiring multiple sites and/or exceeding height limits of respective zoning districts; facilities typically providing or associated with regional service and other facilities determined to be similar in nature by the director of community services.

~~3. "Manufactured home" means a single-family residence constructed after June 15, 1976, and in accordance with the U.S. Department of Housing and Urban Development (HUD) requirements for manufactured housing and bearing the appropriate insignia indicating such compliance and which has a permanent foundation, as specified by the manufacturer, and whose space from the bottom of the home to the ground is enclosed by concrete or an approved concrete product that can be either load-bearing or decorative, and which has approved connections to appropriate electric, sewer, water, natural gas, telephone, and other necessary utilities, and which is "new," meaning it has not been previously titled to a retail purchaser, means a factory-built structure transportable in one or more sections which is built on a permanent chassis and designed to be a dwelling with or without a permanent foundation when connected to required utilities. A manufactured home shall be built to comply with the National Manufactured Home Construction and Safety Standard Act of 1974 (regulations effective June 15, 1976) and is not a "used mobile home" as defined in RCW 82.45.032(2). The city of North Bend may also regulate the placement or use of manufactured homes as described in RCW 35.21.684.~~

~~4. "Manufactured home" means—~~

~~designated" (see RCW 35A.63.145) means a manufactured home which:~~

~~a. Is comprised of at least two fully enclosed parallel sections each of not less than 12 feet wide by 36 feet long;~~

~~b. Was originally constructed with and now has a composition, wood shake or shingle, coated metal, or similar roof of not less than 3:12 pitch; and~~

2025 Amendments to Definitions and Zoning Districts

~~e. Has exterior siding similar in appearance to siding materials commonly used on conventional site-built Uniform Building Code single-family residences.~~

~~4. 5. “Manufactured home park/mobile home park” means an area of land designated for the placement of manufactured homes or mobile homes a parcel of land under single ownership or management on which two or more manufactured homes or mobile homes, respectively, are designed to be located or are located and provides connections form but not limited to, water, sewer and electrical service.~~

~~5. 6. “Manufacturing” means establishments engaged in the mechanical or chemical transformation of materials or substances into new products as identified in NBMC table 18.10.030.~~

~~“Manufacturing – Heavy” means manufacturing of products from extracted or raw materials or recycled or secondary materials, or bulk storage and handling of such products and materials. This classification includes operations such as biomass energy conversion; textile mills; leather and allied product manufacturing; wood product manufacturing; paper manufacturing; chemical manufacturing; plastics and rubber products manufacturing; nonmetallic mineral product manufacturing (such as sand, gravel, or clay into products for intermediate or final consumption); primary metal manufacturing; fabricated metal product manufacturing; petroleum refining and related industries; and automotive, ship, aircraft, and heavy equipment manufacturing. Includes accessory office uses associated with the on-site use. This classification does not include recycling or the processing of animals.~~

~~“Manufacturing – Light” means a use engaged in the manufacture, predominately from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, and treatment packaging, taking place primarily within enclosed buildings and producing minimal impacts on nearby properties. Includes accessory wholesale and/or direct retail sale to consumers of only those goods produced on-site. Includes accessory office uses associated with the on-site use. Examples of light industrial uses include, but are not limited to, the manufacture of electronic instruments, equipment, and appliances; brewery and alcohol production, pharmaceutical manufacturing; and production apparel manufacturing.~~

6. Marijuana facility” means, collectively, any marijuana storefront retail facility, non-storefront retail facility, marijuana cultivation facility, marijuana distribution facility, marijuana testing facility, or marijuana manufacturing facility, as those terms are defined in this chapter.

7. “Marijuana cultivation” means a facility wherein marijuana is propagated, planted, grown, harvested, dried, cured, graded, labeled, tagged for tracking, or trimmed, or wherein all or any combination of those activities takes place.

8. “Marijuana distribution” means any facility or location, the primary function of which is the procurement, sale, and/or transport of marijuana and/or marijuana products between entities operating in strict accordance with State law, as may be amended from time to time.

9. “Marijuana manufacturing” means a facility where the production of marijuana concentrate, and/or the preparation, propagation, or compounding of manufactured marijuana, either directly or indirectly or by extraction methods or independently by means of chemical synthesis, or the packaging or repackaging of marijuana or marijuana products, or the labeling or relabeling of its containers, occurs, provided that the facility has a valid State license.

10. “Marijuana storefront retail” This is a retail facility which sells marijuana or marijuana products to customers. A storefront retail facility shall have a licensed premises which is a physical location from which commercial cannabis activities are conducted.

2025 Amendments to Definitions and Zoning Districts

11. “Marijuana testing facilities” a laboratory, facility, or entity in the State that offers or performs tests of cannabis or cannabis products and that is both of the following: (1) accredited by an accrediting body that is independent from all other persons involved in commercial cannabis activity in the State; and (2) licensed by the State.

12. “Mass Transit Facilities Including Park-and-Ride Lots” means infrastructure and support facilities for public transportation systems, including transit stops, shelters, stations, and designated commuter parking areas.

13. 7-“Mean depth” of a lot is the depth of such lot measured on a line approximately perpendicular to the fronting street and midway between the side lines of such lot.

14. 8-“Mean ground level” means the average of the finished ground level at the center of all exposed walls of a building. Where walls are parallel to and within five feet of a sidewalk, the sidewalk shall be considered the mean ground level.

15. Miniature Golf Course: Miniature golf, also known as minigolf, mini-putt, goofy golf, crazy golf, putt-putt, or golf simulator is an offshoot of the sport of golf focusing solely on the putting aspect of its parent game.

16. 9- “Minor utility facilities” include facilities which do not potentially have a significant impact on adjacent properties and are necessary to provide essential services, including but not limited to pump stations; public wells; sewer/water outfalls; telephone switching stations; catch basins; retention ponds; overhead distribution lines and poles (typically 12.5 kV but up to 55 kV); cable television lines; underground water, sewer, and natural gas distribution lines; transformers and regulator stations; private on-site facilities such as septic tanks, wells; cellular telephone antennas less than 12 feet in height; satellite dishes less than 48 inches in diameter; bus shelters; facilities typically providing or associated with local service and other facilities determined to be similar in nature by the director of community services.

17. “Mixed Use” refers to a type of urban development that blends multiple uses such as residential, commercial cultural, institutional or entertainment into one space. Unless otherwise noted where zones allow, residential and commercial may be orientated horizontal or vertical.

18. 10-“Mobile home” Any vehicle or similar portable structure built prior to the enactment of the National Manufactured Home Construction and Safety Standards Act of 1974, designed for mounting on wheels and intended for use as a residence, except parked and unoccupied recreational vehicles, which meets the standards of the Washington Department of Labor and Industries. means a single family residence transportable in one or more sections that are eight feet or more in width and 32 feet or more in length, built on a permanent chassis, designed to be used as a permanent dwelling and constructed before June 15, 1976.

11. “Modular home” means a structure constructed in a factory in accordance with the International Building Code and bearing the appropriate insignia indicating such compliance.

19. 12-“Motel” means a building or buildings, detached or in connected units, or designed as a single structure, the units of which are used as individual sleeping or temporary dwelling units, having their own private toilet facilities and which may have their own kitchen facilities, and are designed primarily for the accommodation of transient travelers. Access to units is from individual doors opening to the outside, and not from individual doors opening to a common, interior corridor or hallway. Accommodations for trailers are not included. This term includes tourist court, motor lodge, auto court, cabin court, motor inn and similar names.

20. “Motorcycle Sales and Services” means the sale, rental and incidental repairs of motorcycles or similar 2-3 wheeled vehicles.

21. Multi-Tenant Industrial Park: Also called incubator parks, business parks, business centers, industrial parks, or multi-tenant industrial parks these properties provide multiple spaces for startups, indoor industrial and office uses, and local service businesses.

2025 Amendments to Definitions and Zoning Districts

22. “Municipal WWTP” means a publicly operated wastewater treatment plant used for processing and treating municipal sewage and related waste materials.

23. 13. “Museum/interpretive centers/Community Centers and Associated Activities” means an institution for the acquisition, preservation, study, and exhibition of works of artistic, historic, cultural, or scientific value.

N. “N.”

1. “Neighborhood center” means a key park, open space, or other public facility and/or a neighborhood-scaled commercial center.
2. “Nonconforming building or structure” means a building or structure that was legally established when this title or any amendment thereto became effective or amended, but due to a subsequent amendment of this title, the building or structure does not conform to the bulk and/or dimensional regulations of the zoning district in which the building or structure exists.
3. “Nonconforming land use” means any use of land that was legally established when this title or any amendment thereto became effective or amended, but due to a subsequent amendment of this title the use does not conform to the permitted land use regulations of the zoning district in which the use exists.
4. “Nonconforming lot” means a lot within any zoning district that was legally created when this title or any subsequent amendment thereto became effective or amended, but due to subsequent passage or amendment of this title does not meet minimum lot area or minimum lot width requirements for the respective zoning district in which the lot is located. Where applicable, lots exceeding maximum size shall not be considered nonconforming.
5. “Nonconforming use” means a building/structure or land use that was legally established when this title or any subsequent amendment thereto became effective or amended, but due to subsequent passage or amendment of this title does not conform to:
 - a. Permitted land uses; and/or
 - b. Bulk and dimensional regulations of the zoning district in which it is located; and/or
 - c. Performance standards for the land use or zoning district.
6. “Nonelectric vehicle” means any motor vehicle that does not meet the definition of “electric vehicle.”
7. “Nursing home” means a building occupied or intended to be occupied by convalescents, invalids, and aged persons and wherein nursing, dietary, and other personal services are rendered. Mentally challenged patients and patients with contagious or communicable diseases, who are customarily treated in sanitariums and hospitals, are not included in this definition.
8. “Nursery, Garden, and Landscape Supplies” means an establishment primarily engaged in retailing nursery and garden products—such as trees, shrubs, plants, seeds, bulbs, and sod—that are predominantly grown elsewhere. These establishments may sell a limited amount of a product they grow themselves. Fertilizer and soil products are stored and sold in package form only. This classification includes wholesale and retail nurseries offering plants for sale. This classification also includes farm supply and feed stores.

O. “O.”

1. “Off-street parking” means parking facilities for motor vehicles on other than a public street or alley.
2. “Official zoning map” means the city’s adopted and official map showing boundary delineations for zoning districts as established in Chapter 18.08 NBMC.

2025 Amendments to Definitions and Zoning Districts

3. “On-Site Hazardous Waste Treatment” means a facility Permitted as an accessory use only to permitted activities in zones generating hazardous waste; provided they meet all state regulations.

4. 3. “Open space, active” includes open space areas accessible to humans for a variety of recreation uses, including but not limited to parks, trails, picnic areas, and other usable sites. Open space recreational uses may contain impervious surfaces. Critical areas and their buffers are not considered active open space unless they have been improved with active recreation facilities including but not limited to trails.

5. 4. “Open space, common” means active or passive open space within or related to a development that is designed and intended for the common use of the residents of the development. In some cases, common open space may be dedicated to the city and/or made available for the use of all city residents if part of a greenbelt network.

6. “Open Space, Park, Trail, and Recreation” means land designated for passive or active recreational use, environmental conservation, or trail connectivity, whether publicly or privately owned, and generally open to public access.

7. 5. “Open space, passive” means that portion of a site left in its natural state or specifically designated to be used for resource protection, agriculture, greenbelt, or visual amenity and which is not covered with structures, roads, road rights-of-way, or parking areas. “Open space, passive” does not include the minimum required yards or lots of residential units.

8. 6. “Owner occupancy” is defined as the property owner as reflected in title records, who makes his or her legal residence at the site, as evidenced by voter registration, vehicle registration, or similar means, and actually resides at the site more than six months out of any given year.

P. “P.”

1. “Paint and Body Shop”: Auto Body and Paint Shop” means an establishment primarily engaged in the repair and painting of motor vehicle bodies. This use does not include facilities for the sale of fuel, lubricants, or automotive accessories, nor does it include mechanical or electrical repairs.

2. 1. “Park” means a site designed or developed for recreational use by the public including but not limited to major categories of:

- a. Indoor park facilities (activity centers, swimming pools);
- b. Outdoor park facilities for active recreation (sportfields, playfields, and related);
- c. Outdoor areas for passive recreation (conservation areas, typically with nonmotorized trails).

3. 2. “Parking space” means a space within or without a building, exclusive of driveways, at least 10 feet by 20 feet, used to temporarily park a motor vehicle and having access to a public street or alley.

4. “Parts Store” is a retail establishment that sells new automobile parts, tires, and accessories. Minor parts may also be installed on-site. This use does not include bodywork or mechanical/electrical repair services.

5. “Pawn Shop” means a commercial establishment that sells secondhand personal property and in which the operator provides loans secured by such personal property

6. 3. “Performance standards” means guidelines, standards, and/or criteria that govern permitted and/or conditionally permitted land uses.

7. 4. “Permanent supportive housing” is 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

2025 Amendments to Definitions and Zoning Districts

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 pursuant to RCW 36.70A.030. Permanent supportive housing is subject to all of the rights and responsibilities defined in Chapter 59.18 RCW.

~~8.5.~~ "Permitted use" means any use authorized or permitted alone or in conjunction with another use in a specified district and subject to the limitations of the regulations of such use district.

9. Personal Services (Beauty Shop, Dry Cleaner, Shoe Repair, Tattoo Parlor, Etc.)" means provision of recurrently needed services of a personal nature. This classification includes barber shops and beauty salons, seamstresses, tailors, day spas, massage services where all persons engaged in the practice of massage, dry cleaning agents (excluding large-scale bulk cleaning plants), shoe repair shops, self-service laundries, mailing and photocopying services, photo finishing services, and travel agencies mainly intended for the consumer.

10.6. "Pervious surface" means a surface which does not prevent or retard the entry of water into the soil mantle as under natural conditions prior to development.

11.7. "Place" means an open, unoccupied, named space, other than a street or alley, at least 25 feet in width, permanently reserved and so recorded in the county records as the principal means of access to abutting or adjacent property.

12. "Police and Fire Station" means a facility used by public safety agencies for emergency response services, administration, equipment storage, and personnel housing.

13. "Post Office" means a facility operated by a recognized postal service provider for the collection, processing, and distribution of mail and postal services.

14. "Prepared Materials Assembly, Processing, and Packaging – Indoor" means the act or process of enclosing or protecting a product using a container to aid its distribution, identification, storage, promotion, and usage.

15.8. "Primary use" means the principal or predominant use to which the property is or may be devoted, and to which all other uses on the premises are accessory.

16.9. "Principal unit" means the primary residential unit on a lot, such as a single-family housing unit, duplex, triplex, townhome, cottage, or other housing unit, located on the same lot as an accessory dwelling unit.

17.10. "Professional offices" means offices maintained and used as a place of business conducted by persons such as doctors, dentists, osteopathic physicians, naturopathic physicians, chiropractors, optometrists (but wherein no overnight care for patients is given), and by engineers, attorneys, architects, accountants and other persons or firms providing services in a manner that creates land use impacts similar to the specific uses listed above.

18.11. "Prohibited uses" means land use activities, including associated buildings and/or structures, that are specifically prohibited by this zoning code, as listed in endnotes to Table 18.10.030.

19. "Public and Private Utilities – Major" means large-scale utility infrastructure such as substations, wastewater treatment plants, or regional facilities, typically requiring conditional use review due to size or operational impacts.

20. "Public and Private Utilities – Minor" means small-scale utility installations necessary to serve localized demand, such as pump stations, transformers, or underground infrastructure, that generally have minimal land use or visual impacts.

12. "Public utility" means a public service corporation performing some public service and subject to special governmental regulations, or a governmental agency performing similar public services, the services by either o

Commented [JB5]: Redundant and not a term specifically used in code.

~~f which are paid for directly by the recipients thereof. Such services shall include, but are not limited to, water supply, electric power, gas and transportation for persons and freight.~~

21. “Public Garden” means a cultivated area open to the public for educational, recreational, or aesthetic purposes, which may include ornamental or edible plantings.

Q. Reserved.

R. “R.”

1. “Rapid charging station” means an industrial grade electrical outlet that allows for faster recharging of electric vehicle batteries through higher power levels and that meets or exceeds any standards, codes, and regulations set forth by Chapter 19.28 RCW and consistent with rules adopted under RCW 19.27.540.
2. “Recreational area/recreational facility” means a place designed and equipped for the conduct of sports, leisure-time activities, and other customary and usual recreational activities.
3. “Recreational vehicle” or “RV” means a vehicle designed primarily for recreational camping, travel, or seasonal use which has its own mode of power or is mounted on or towed by another vehicle, including but not limited to travel trailers, folding camping trailer, truck camper, motor home, motorized boats, and multi-use vehicles.
4. “Recreational vehicle park and Campgrounds” means the use of land upon which two or more recreational vehicle sites, including hook-up facilities, are located for occupancy by the general public ~~for recreational vehicles~~ as temporary living quarters for recreation or vacation purposes.
5. “Recycling center” means a lot or parcel of land, with or without buildings, upon which used materials are separated and processed for shipment to recycling plants.
6. “Recycling collection point” means an accessory, incidental collection point for the drop-off and temporary storage of recyclable materials.
7. “Recycling plant” means a facility in which recyclables, such as newspapers, magazines, books, other paper products, glass, metal and/or other products are recycled, reprocessed, and treated to return such products to a condition in which they may again be used in new products.
8. “Repair and service shop” means premises designed and used for the storage, maintenance, and repair of motor vehicles, but not including the sale of gasoline or other motor fuels and auto body work or painting.
9. “Restaurant” means a commercial establishment primarily engaged in the preparation and sale of food and beverages for immediate consumption. Such establishments typically provide facilities for on-site dining and may also offer food and beverages for take-out. This classification does not include businesses whose principal function is the retail sale of prepackaged food or beverages for off-site consumption.
10. “Restaurant, Drive-Thru”: An establishment designed and operated to serve food, beverages, or other goods directly to customers in motor vehicles, typically from a designated drive-up window or lane. Such establishments may or may not provide facilities for on-site consumption, and service is conducted primarily through direct interaction with vehicle occupants without requiring them to exit their vehicles.
11. “Restaurant, Non-Drive-Thru”: An establishment where food and/or beverages are served to the public on demand from a menu during stated business hours, to be consumed on the premises primarily inside the building at tables, booths, or counters, with chairs, benches, or stools.
12. “Restaurant, Coffee Stands” – Freestanding or Accessory: A café serving coffee, light refreshments and pre-made food products.
13. “Restaurant Food Trucks”: A self-contained motorized vehicle equipped to store, prepare, cook, and sell food or beverages to the public. Food trucks are designed for temporary or mobile operation and may serve

2025 Amendments to Definitions and Zoning Districts

customers while parked on private or public property in compliance with applicable health, zoning, and licensing regulations.

14. "Research and Development Facilities" means a facility for scientific research and the design, development and testing of electrical, electronic, magnetic, optical, and computer and telecommunications components in advance of product manufacturing, and the assembly of related products from parts produced off site, where the manufacturing activity is secondary to the research and development activities. Includes pharmaceutical, chemical and biotechnology research and development. Does not include soils and other materials testing laboratories, or blood drawing and specimen collection from patients, or testing of computer software.

15. "Retail" means an establishment primarily engaged in the retail sale or rental of merchandise not specifically listed under another use classification. This classification includes department stores, clothing stores, furniture stores, pet supply stores, and businesses retailing the following goods: toys, hobby materials, handcrafted items, jewelry, phones, cameras, photographic supplies and services (including portraiture and retail photo processing), medical supplies and equipment, pharmacies, electronic equipment, sporting goods, kitchen utensils, hardware, appliances, antiques, art galleries, art supplies and services, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, and new automotive parts and accessories (excluding vehicle service and installation). Retail sales may be combined with other incidental services such as office machine, computers, electronics, and similar small-item repairs.

16. 9--"Rezone" means a change in boundaries of the official zoning map. Rezones are either:

- a. Initiated by a private party, which typically relate to a specific parcel or limited area; or
- b. Initiated by the city, which typically relate to multiple parcels or city-wide applications.

17. 10: "Right to farm/right to forest" means an ordinance that protects farmers and farm operations or foresters and forest operations from private or public nuisance lawsuits.

18. "RV/Commercial Truck Sales, Repair, and Maintenance Services" means establishments engaged in the sale, repair, and maintenance of recreational vehicles (RVs), heavy-duty trucks, large commercial trucks, and trailers. Services may include general mechanical repairs and maintenance but do **not** include the sale of gasoline or other motor fuels, or auto body work and painting.

S. "S."

1. "Sales (New and Used Auto/Passenger Truck" means a facility used for the purpose of retail sales of motor vehicles. Such facilities may include indoor and outdoor vehicle storage area, offices, and auto repair facilities when associated with on-site sales.

1. "School, elementary, junior or senior high, including public, private and parochial" means an institution of learning which offers instruction in the several branches of learning and study required to be taught in the public schools by the Washington State Board of Education.

2. "School: Montessori/Preschool, Kindergarten, Elementary, Middle, High School" means an educational institution providing instruction and care for children from early learning through secondary education, including classrooms, playgrounds, and support services.

3. "Schools: Colleges, Universities, Technical, Trade and Specialty Schools" means institutions providing post-secondary academic, vocational, or technical education and training, which may include classrooms, labs, dormitories, and support facilities.

4. 2. "Secondary use (incidental or accessory)" means a minor or second use for which a lot, structure or building is designed or employed in conjunction with but subordinate to its primary use.

2025 Amendments to Definitions and Zoning Districts

~~5. 3.~~ “Secure community transition facilities” means a residential facility for persons civilly committed and conditionally released to a less restrictive alternative under Chapter 71.09 RCW. A secure community transition facility has supervision and security, and either provides or ensures the provision of sex offender treatment services. Secure community transition facilities include but are not limited to the facilities established pursuant to RCW 71.09.250 and any other community-based facilities established under Chapter 71.09 RCW and operated by or under contract with the Washington State Department of Social and Health Services ~~the secretary or under contract with the secretary.~~

~~4.~~ “Semiprivate facility” means any facility to which a class or a group of the public is permitted to attend or use subject to the regulations of a club or other organization owning or regulating such facility.

~~6. 5.~~ “Senior citizen” means a person aged ~~65~~2-or older.

~~7. 6.~~ “Senior citizen housing” means:

a. Housing which is exclusively devoted to housing for, and restricted to use by, senior citizens, as this term is defined in this section, either under the Housing and Urban Development (HUD) Section 2.02 Program and contracts and guidelines pertinent thereto or, after the expiration of such contracts and direct applicability of such guidelines, under the provisions of those contracts and guidelines which were in effect at the expiration of the applicability of Section 2.02 financing to any particular senior citizen project which has been established under such a Section 2.02 program.

b. Any change of use from that of senior citizen housing will immediately cause all provisions of the zoning code to apply without regard to the bulk and dimensional standards of Table 18.10.040 or the reduced-parking requirement of NBMC 18.16.090, which otherwise may apply to senior citizen housing, and should housing be so changed from senior citizen housing, alternatives will immediately be required in order to gain code compliance, such as vacating units which cause excess density and conversion of such vacated units to facilities for use in common by the remaining project residents; and further, such as by immediately securing additional parking so as to meet parking requirements, or by converting additional dwelling units so as to meet parking requirements. Any delay that may be allowed by the city in implementing any application of municipal code requirements will not constitute a waiver of the full applicability of requirements of this zoning code, and developers of senior citizen housing will be deemed to be fully on notice that any bonus or requirement reduction relating to senior citizen housing applies only so long as the project is used for senior citizen housing.

c. Any developer of senior citizen housing is obligated to give six months’ prior notice to the city of intent to abandon senior citizen housing status, and if the new use does not comply with requirements of this title, including but not limited to those pertaining to bulk and parking requirements, the occupancy permit for the building shall be revoked.

~~8. 7.~~ “Setback” means the distance that buildings and structures must be placed from respective front, side, and rear lot lines, subject to the provisions outlined in Table 18.10.040, Bulk and Dimensional Standards.

~~9. 8.~~ “Shelter station” means a shelter for the protection from the elements of the waiting customers of a public transportation system.

~~10. 9.~~ “Shopping complex” means individual commercial uses, typically divided in units, that are attached in a common building.

~~11. 10.~~ “Short Term Rental” means a lodging use, that is not a hotel or motel or bed and breakfast, in which a dwelling unit, or portion thereof, is offered or provided to a guest by a short-term rental operator for a fee for fewer than 30 consecutive nights.

~~12. 11.~~ “Sign” means any device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public.

13. “Snowmobile Sales/Service” means any building or structure used for the purpose of supplying and selling of snowmobile products and related services.

14. 12- “Solid planting” means a planting of evergreen trees and shrubs which will prevent a through and unobscured penetration of sight or light.

15. 13- “Specified sexual activities” means human genitalia in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse, sodomy, or erotic fondling; touching or display of human genitalia, pubic region, buttocks, or female breasts.

16. 14- “Standard sized single-family home” means homes larger than 1,700 square feet in size.

17. “Storage Facilities” means commercial establishment primarily designed and used for the storage of goods, materials, or personal property for individuals or businesses. Storage facilities may include indoor or outdoor storage, and may be configured as self-service units (e.g., mini-storage), climate-controlled units, or larger warehouse-style spaces. This use does not include warehousing or distribution centers engaged in the regular shipping, receiving, or handling of freight.

A. Mini-Storage: A structure containing separate storage spaces that are designed to be leased or rented individually. Indoor mini-storage shall mean that access to all storage spaces shall be from common interior corridors (not facing right-of-way), and the facility has only shared loading areas. This use does not include outdoor storage of any kind. Further, such storage does not involve any manufacturing, office or business services, or human habitation in any storage space or anywhere on site. Also known as Personal Storage.

B. Indoor Storage (General): Indoor Storage means a structure containing separate, individual, and private storage spaces of varying sizes leased or rented on individual leases for varying periods of time for only and located entirely within a building.

C. Outdoor (Boats, Cars, Campers, Etc.): The commercial storage of goods or materials, for more than 72 hours, which are not located within a fully enclosed building, and excludes the storage of shipping containers. Outdoor storage of goods or materials owned by and incidental to a primary permitted use conducted on the same property is not considered outdoor storage, but an incidental accessory use to the primary use.

18. 15- “Story” means that part of a building included between the upper surface of a floor and the upper surface of the floor or roof next above. A story is measured from top to top of two successive tiers lying between two floors or between the floor and ceiling of the highest usable level in the building.

19. 16- “Street” means a public thoroughfare which affords the principal means of access to abutting properties.

20. 17- “Structural alterations” requires a building permit and means any change in load or stress of the loaded or stressed members of a building or structure.

21. 18- “Structure” means a combination of materials constructed and erected permanently on the ground or attached to something having a permanent location on the ground. Not included are residential fences less than six feet in width, retaining walls, rockeries and similar improvements of a minor character less than three feet in height.

22. Studio (Art, Music, Pottery, Etc.) means the working place of a painter, sculptor, or photographer. The place for study of an art (such as dancing, singing, or acting); a place where motion pictures or music are made, etc.

23. 19- “Substandard lots” means where an existing, recorded lot is substandard in width or area, and where the owner of the substandard lot does not own abutting lots which taken together would satisfy current lot width and area requirements, one single-family house may be constructed on a substandard lot, provided any new

2025 Amendments to Definitions and Zoning Districts

structure or substantial alteration to an existing structure must satisfy the current setback and lot coverage requirements of the zoning district in which it is located.

T. “T.”

~~1. “Tattoo Parlor and/or Body Piercing Studio” means a business establishment where a person can obtain a tattoo and/or body piercing.~~

Commented [JB6]: PC recommendation is this falls under Personal Services

1. “Temporary building, structure or vehicle” means the building, structure or vehicle does not have or require permanent attachment to the ground, and is not permanently located in one place or on one site.

2. “Temporary Industrial Buildings and Uses” means structures or operations established on a site for a limited duration, typically associated with construction, repair, testing, or seasonal activity, and not involving permanent site alterations. Such uses must be removed upon completion of the designated activity or expiration of the temporary use permit.

3. 2. “Temporary use” means a land use occurring for a limited time; not permanent.

4. “Theater, Auditorium, Performance Center, Etc.” means Any enclosed area devoted to or used for exhibiting motion pictures or presenting theatrical performances, lectures or like entertainment.

5. 3. “Timber land” means any parcel of land that is five or more acres or multiple parcels of land that are contiguous and total five or more acres which is or are devoted primarily to the growth and harvest of forest crops for commercial purposes. A timber management plan shall be filed with the county legislative authority at the time (a) an application is made for classification as timber land pursuant to this chapter, or (b) when a sale or transfer of timber land occurs and a notice of classification continuance is signed. “Timber land” means the land only.

6. “Tire Shop (Sales/Service)” means a business that is primarily involved in the sale, installation and repair of tires and wheels, and associated minor components.

7. Towing and Impound Yard: A towing and impound yard is defined as a facility designated for the temporary storage of vehicles consistent with RCW 46.55 that have been towed due to legal violations, such as illegal parking, arrest of the operator, or abandonment, or towed due to inoperability. Towing and Impound differs from Wrecking and Salvage as defined in NBMC 18.06 in that 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 an insurance determination.

8. 4. “Townhouse” means a building containing one dwelling unit that occupies space from the ground to the roof, and is attached to one or more other townhouse dwellings by common walls. Townhouse units may be owned in fee simple, or as part of a condominium or cooperative.

9. 5. “Traditional neighborhood development pattern” means a pedestrian-oriented, predominantly residential area, with a grid to modified grid street pattern, variable lot sizes and widths, a mix of dwelling types, streetscape amenities, and typically with a focal point or “neighborhood center.” See also “Neighborhood center.”

10. 6. “Transfer of development rights” or “TDR” means the removal of some or all of the right to develop or build, expressed in dwelling units per acre or floor area, from land designated as a “sending site” to other land designated as a “receiving site.”

7. “Transitional area overlay district” is an area located between residential (LDR, HDR) and commercial (IC, IMU, DC, NB) and/or industrial (EP-1, EP-2) zoning where additional development standards apply. The transitional area extends 150 feet from the boundary of parcels located between incompatible zoning districts or extends 150 feet from the edge of the right-of-way located between incompatible zoning districts. Where adjoining parcels are less than 150 feet dimensionally and satisfy all of the performance standards for i

Commented [JB7]: Replaced with transitional landscape area in landscape code.

~~necompatibilities, there is no need for other parcels within the 150-foot area and not adjoining the incompatible boundary to meet the same performance standard. The transitional area overlay district (TAOD) performance standards shall not be required on commercial or industrial-zoned property where the use of the property is also defined as a permitted use on the adjacent residential-zoned property.~~

11. 8. “Transitional housing” means a facility that provides housing and supportive services to homeless individuals or families for up to two years and whose primary purpose is to enable homeless individuals or families to move into independent living and permanent housing.

9. ~~“Triplex, fourplex, fiveplex, sixplex” refers to the number of residential units (respectively three, four, five and six) in a multifamily building.~~

Commented [JB8]: See dwelling

U. “U.”

1. Unlisted Public and Quasi-Public Uses” means uses that serve a public or institutional function but are not specifically listed in the code, and which may be permitted subject to review for consistency with the purpose and intent of the applicable zoning district.

2. “Unlisted Resource Land Uses” means agricultural or natural resource-based land uses not specifically identified in the code, which may be permitted upon review for compatibility with the resource zone and surrounding uses.

3. 1. “Unlisted use” means a land use that is not generally or specifically listed in Table 18.10.030. In some cases, unlisted uses may be permitted, subject to procedures and criteria outlined in the endnotes to Table 18.10.030.

4. “Unlisted Industrial Uses” means industrial activities not specifically identified within the zoning code that may be allowed only after discretionary review to ensure consistency with the purpose and intent of the industrial zone and compatibility with surrounding uses.

5. 2. “Upper floor dwelling units” means a residential unit which is part of a mixed-use development having a ground floor commercial or retail use.

6. 3. “Use” means the purpose land or buildings or structures now serve or for which they are occupied, maintained, arranged, designed or intended.

7. 4. “Use district” means a portion of North Bend designated on official zoning maps as one or more of the categories listed and described in this title.

8. 5. “Used car lot” means any place outside a building where two or more automobiles are offered for sale or are displayed.

V. “V.”

1. “Variance” is the means by which an adjustment is made in the application of the specific regulations of this title to a particular piece of property, which property because of special circumstances applicable to it is deprived of privileges commonly enjoyed by other properties in the same zone or vicinity and which adjustment remedies disparity in privileges. A variance is a form of special exception.

2. “Veterinary clinic” means a clinic for the medical or surgical treatment of small animals or pets, including but not limited to dogs and cats. The boarding of animals for surgical, post-surgical, or general boarding purposes, subject to the terms of this code, shall be ancillary to the clinic use.

3. “Vision plan” means an element of the North Bend comprehensive plan which depicts preferred land use patterns and design principles for North Bend.

W. “W.”

2025 Amendments to Definitions and Zoning Districts

1. Warehousing and Distribution: “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. “Distribution” is the large movement of goods through purchasing, processing, and selling from a supplier to an end-user or retailer.

2. “Welding Shop” means a building or part of a building where material working involves the joining of two or more pieces of metal by applying heat, through various means, to produce a localized union through fusion across the interface.

3. “Wholesale Sales” means an establishment with indoor storage and sale of goods to other firms for resale, storage of goods for transfer to retail outlets or storage and sale of materials and supplies used in production or operation, including janitorial and restaurant supplies. Wholesalers are primarily engaged in business-to-business sales but may sell to individual consumers through mail or internet orders. They normally operate from a warehouse or office having little or no display of merchandise and are not designed to solicit walk-in traffic.

A. Wholesale Sales w/Ancillary Associated Retail: An associated and subordinate retail sale of wholesale merchandise, as required by certain zoning districts.

B. Wholesale Sales w/o Associated Retail: A wholesale business that may not be open to the public for on-site sales.

4. “Wireless Communication Facilities” means structures and equipment used to transmit or receive wireless communications signals, including towers, antennas, and accessory equipment, as regulated under NBMC 18.70 or applicable local code.

4--“Wrecking/salvage yard” means any area, lot, land, parcel, building, or structure, or part thereof, used for the storage, collection, processing, purchase, sale, salvage, or disposal of motor vehicles not in operating condition.

X. Reserved.

Y. “Y.”

1. “Yard” means an open space in front, rear or side on the same lot with a building or proposed building.

2. “Yard, front” means a space extending the full width of a lot between any building and the front lot line, as measured perpendicular to the building at the closest point to the front lot line.

3. “Yard, rear” means a space extending across the full width of a lot between the principal building and the rear lot line, as measured perpendicular to the building at the closest point to the rear lot line.

4. “Yard, service” means an open area, usually paved, with access to a street or alley, to allow vehicular access to a building or use for purposes of loading or unloading equipment, freight, livestock or people.

5. “Yard, side” means a space extending from the front yard to the rear yard between the principal building and the side lot line, as measured perpendicular from the side lot line to the closest point of the principal building.

Z. Reserved. (Ord. 1824 § 5 (App. B), 2024; Ord. 1756 § 1, 2021; Ord. 1657 §§ 4, 5, 2018; Ord. 1653 § 1 (Exh. A (part)), 2018; Ord. 1611 § 2, 2016;² Ord. 1583 § 1 (Exh. A), 2016; Ord. 1580 § 2 (part), 2016; Ord. 1563 § 2 (part), 2015; Ord. 1552 § 2 (part), 2015; Ord. 1523 § 1 (part), 2014; Ord. 1517 § 1 (Exh. A), 2014; Ord. 1464 § 1 (Exh. A (part)), 2012; Ord. 1435 § 1 (Exh. A (part)), 2011; Ord. 1385 § 2, 2010; Ord. 1262 § 1 (part), 2006; Ord. 1256 § 1 (part), 2006; Ord. 1183 § 1, 2003; Ord. 1167 § 1, 2002; Ord. 1165 § 2, 2002; Ord. 1153 § 1, 2002; Ord. 1020 (part), 1997).

2025 Amendments to Definitions and Zoning Districts

¹ Prior legislation: Ords. 724, 718, 569, 336.

² Code reviser's note: Ord. 1611 establishes interim zoning regulations which are effective until June 11, 2017.

Chapter 18.10
ZONING DISTRICTS¹

Sections:

- 18.10.010 Zoning districts – Established.
- 18.10.020 Zoning districts – Purposes.
- 18.10.025 *Repealed.*
- 18.10.030 Table of permitted and conditional uses.
- 18.10.040 Table of bulk and dimensional standards.
- 18.10.041 Bulk and dimensional standards for residential accessory units, structures and uses.
- 18.10.050 Table of performance standards.

18.10.010 Zoning districts – Established.

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

District:	Abbreviation:
Constrained Low-Density Residential	(CLDR)
Low-Density Residential	(LDR)
High-Density Residential	(HDR)
Medium-Density Residential	(MDR)
Neighborhood Business	(NB)
Neighborhood Mixed Use	(NMU)
Downtown Commercial	(DC)
Interchange Commercial	(IC)
Interchange Mixed Use	(IMU)
Business Park	(BP)
Employment Park	(EP)
Parks, Open Space and Public Facilities	(POSPF)

(Ord. 1824 § 5 (App. B), 2024; Ord. 1576 § 1, 2016; Ord. 1325 § 1 (part), 2008; Ord. 1256 § 1 (part), 2006; Ord. 1020 (part), 1997).

18.10.020 Zoning districts – Purposes.

In addition to general purposes of the zoning title outlined in NBMC 18.02.020, zoning districts have the following respective purposes in subsections A, B, C, D, E, and F of this section. Chapter 18.13 NBMC describes overlay districts that apply to specific areas.

A. Purposes – LDR and CLDR Districts.

1. Provide for neighborhoods of predominately single-family structures at a gross density of four dwelling units per acre for LDR, with an allowance for cottage housing developments within the LDR of up to eight units per acre under limited circumstances subject to the provisions of Chapter 18.11 NBMC, ~~Cottage~~ Medium-Density

2025 Amendments to Definitions and Zoning Districts

Residential, and single-family structures of up to two dwelling units per acre for CLDR, as designated on the zoning map;

2. The CLDR district 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 zone shall not exceed two dwelling units per gross acre. Furthermore, large estate size lots, in excess of 18,000 square feet minimum lot size is the intent within the CLDR district;

3. Accommodate other uses compatible with single-family residences and other types of innovative styles of residential units including accessory dwelling units and cottage housing developments under limited circumstances within the LDR district subject to the provisions of Chapter 18.11 NBMC, ~~Cottage-Medium-Density Residential~~;

4. Maintain the integrity and character of existing neighborhood areas, including requiring that all units be held in fee simple ownership status;

5. Create attractive and satisfying neighborhood environments for family life;

6. Ensure that adequate sewer, water, and other utilities and services are provided;

7. 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;

8. Assure development gives due consideration to existing development or that which can be reasonably anticipated on adjacent lands, with respect to common infrastructure requirements and compatibility of uses;

9. Promote a traditional neighborhood development pattern and scale which serves to maintain and enhance existing small-city character and pedestrian orientation; and

10. Implement provisions of the comprehensive plan, including the vision plan, related to residential areas.

B. Purposes – HDR District.

1. Provide for neighborhoods and/or areas of predominantly multifamily structures, but with a mix of housing types including affordable housing units;

2. Accommodate other uses compatible with multifamily residences;

3. Create attractive and satisfying environments for family and household life;

4. Ensure that adequate sewer, water, and other utilities and services are provided;

5. 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;

6. Assure development which gives due consideration to existing development or that which can be reasonably anticipated on adjacent lands, with respect to common infrastructure requirements and compatibility of uses;

7. Promote a traditional neighborhood development pattern and scale which serves to maintain and enhance existing small-city character and pedestrian orientation;

8. Implement provisions of the comprehensive plan, including the vision plan, related to residential development.

C. Purpose – Medium Density Residential (MDR).

2025 Amendments to Definitions and Zoning Districts

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;
2. Allow smaller lot sizes and increased densities from six to 10 DU/acre gross to create greater economic choices for home buyers 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 (D)(4) of this section; specific purposes include subsections (D)(5) through (D)(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 and ~~residential~~ 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., green space, 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 land uses, including limited fabrication and light manufacturing when conducted in locations isolated from residential zoning districts. Residential may ~~is also be permitted on the second story or above in the~~ neighborhood mixed use zone. The NB 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 district than what is permitted in the NMU district.

2025 Amendments to Definitions and Zoning Districts

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 or a vertical mix of 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(e)). Pedestrian orientation and amenities will also be emphasized.

Commented [MM9]: Suggest striking this language, as this gets into specific regulation, which can be left to the regulations themselves to avoid future conflict or inconsistencies as regulations change.

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.

Commented [MM10]: Suggest striking this language for same reason as above.

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 Business Park (BP) and Employment Park (EP). The EP and BP zoning districts have the following general and specific purposes (general purposes include subsections (E)(1) through (E)(5) of this section; specific purposes include subsections (E)(6) and (E)(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 BP 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 BP 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 BP district. Uses that capitalize on North Bend’s setting and geographic location are encouraged.

2025 Amendments to Definitions and Zoning Districts

7. The EP 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.

F. Purpose – Park, Open Space, and Public Facilities District (POSPF).

1. Recognize and designate areas for public and quasi-public parks, open space, trail, and recreation areas, as well as public facilities including but not limited to schools, community buildings, government offices, and public facilities and utilities.
2. Implement provisions of the comprehensive plan related to park, open space, and public facility land uses.
3. Ensure that adequate areas are set aside for park, open space, trail, recreation areas, and public facility land uses. (Ord. 1824 § 5 (App. B), 2024; Ord. 1760 § 2 (Exh. B), 2021; Ord. 1748 § 1 (Exh. A), 2021; Ord. 1657 § 6, 2018; Ord. 1653 § 2 (Exh. A (part)), 2018; Ord. 1590 § 1, 2016; Ord. 1578 § 2, 2016; Ord. 1576 § 2, 2016; Ord. 1325 § 1 (part), 2008; Ord. 1256 § 1 (part), 2006; Ord. 1165 § 1, 2002; Ord. 1164 § 1, 2002; Ord. 1020 (part), 1997).

18.10.025 Special districts.

Repealed by Ord. 1749. (Ord. 1657 § 7, 2018; Ord. 1646 § 1 (Exh. A), 2017; Ord. 1640 §§ 2 (Exh. B), 3 (Exh. C), 2017; Ord. 1626 § 1 (Exh. A), 2017; Ord. 1611-A § 1 (Exh. A), 2017; Ord. 1611 §§ 4 (Exh. A), 5 (Exh. A), 2016; Ord. 1584 § 1 (Exh. A), 2016; Ord. 1583 § 2, 2016; Ord. 1580 § 2 (part), 2016; Ord. 1563 § 2 (part), 2015; Ord. 1552 § 2, 2015; Ord. 1523 § 1 (part), 2014; Ord. 1501 § 1 (Exh. A), 2013; Ord. 1492 § 1 (Exh. A (part)), 2013; Ord. 1442 § 2 (Exh. B (part)), 2011; Ord. 1403 § 1 (Exh. A), 2010; Ord. 1393 § 1 (Exh. A), 2010; Ord. 1325 § 1 (part), 2008).

18.10.030 Table of permitted and conditional uses.

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

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

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

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

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

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

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

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

2025 Amendments to Definitions and Zoning Districts

F. See Chapter 18.13 NBMC for all permitted uses within the master plan overlay districts;

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

Table 18.10.030 – Permitted and Conditional Land Uses

P = Permitted use CUP = Conditional use permit required			RESIDENTIAL				COMMERCIAL				INDUSTRIAL		PUBLIC FACILITIES	
LAND USES:			LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
1.00 RESIDENTIAL:														
1.10	Single-Family Dwellings						See Chapter 18.12 NBMC							
*	1.11	Single-Family Detached Dwellings	P	P	P (2)-(1)	P	See Chapter 18.12 NBMC							
*	1.12	Designated Manufactured Homes	P	P	P-(2)-(1)	P	See Chapter 18.12 NBMC							
*	1.13	Manufactured Home Parks					See Chapter 18.12 NBMC							
*	1.16	Cottages – See Chapter 18.11 NBMC	P (3)-(2)		P		See Chapter 18.12 NBMC							
* —	1.17	Townhome (4)				P	P	See Chapter 18.12 NBMC		P				
1.20	Multifamily Structures (separate or within mixed use buildings if allowed)													

2025 Amendments to Definitions and Zoning Districts

P = Permitted use CUP = Conditional use permit required			RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES
LAND USES:			LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
*	1.21	Duplexes			P (2)- (1)	P		See Chapter 18.12 NBMC		P				
*	1.22	Triplexes				P	<u>P</u>	See Chapter 18.12 NBMC		P				
*	1.23	Fourplexes				P	<u>P</u>	See Chapter 18.12 NBMC		P				
*	1.24	Other Multifamily Dwellings over Four Units (6)				P	<u>P</u>	See Chapter 18.12 NBMC		P				
1.30	Special Service Housing													
*	1.31	Adult Family Homes	P	P	P (2)- (1)	P		See Chapter 18.12 NBMC		P	P			
*	1.32	Childcare						See Chapter 18.12 NBMC						
*	1.32a	Family Day Care Provider	P	P	P	P	P	See Chapter 18.12 NBMC		P	P			

Commented [JB11]: See Performance Standard below for these. Only allowed with retail frontage first along NB Way

P = Permitted use CUP = Conditional use permit required		RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES
LAND USES:		LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
*	1.32b Child Day Care Center	P	P	P	P	P	See Chapter 18.12 NBMC	P	P	P	P	P	P
*	1.33 Homes for the Elderly and Related	P		P (2)(1)	P	P	See Chapter 18.12 NBMC		P	P			
1.00 RESIDENTIAL: (continued)													
	1.34 Secure Community Transition Facilities						See Chapter 18.12 NBMC				CUP		
*	1.35 Transitional Housing	P	P	P	P	P	See Chapter 18.12 NBMC				P	P	
*	1.36 Permanent Supportive Housing	P	P	P	P	P	See Chapter 18.12 NBMC				P	P	
	1.40 Miscellaneous Rooms for Rent						See Chapter 18.12 NBMC						
	1.41 Bed and Breakfast Establishments	P	P	P	P	P	See Chapter 18.12 NBMC		P	P			

Commented [JB12]: Allowing in all zones consistent with SB 5509

P = Permitted use CUP = Conditional use permit required			RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES
LAND USES:			LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
*	1.42	Boarding Houses/ <u>Co-living Housing</u>	P		P	P	P	See Chapter 18.12 NBMC		P	P			
	1.50	Other Residential						See Chapter 18.12 NBMC						
*	1.51	Accessory Residential Uses	P	P	P	P	P	See Chapter 18.12 NBMC		P	P	P		
*	1.52	Accessory Dwelling Units	P	P	P	P	P	See Chapter 18.12 NBMC		P	P	P	P	
*	1.53	Home Occupations	P	P	P	P	P	See Chapter 18.12 NBMC		P	P	P		
*	1.54	Upper Floor Dwelling Units				P	P	See Chapter 18.12 NBMC	P(7)(3)	P				
*	1.55	Interim Housing Facilities	P		P	P		See Chapter 18.12 NBMC		P				P
1.60 Unlisted Residential Use			See Procedure for Unlisted Uses											
2.00 COMMERCIAL:														

Commented [MM13]: Adding to NMU as required for any zone allowing 6 or more multifamily units per HB 1998.

2025 Amendments to Definitions and Zoning Districts

P = Permitted use CUP = Conditional use permit required			RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES
LAND USES:			LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
*	2.01	Adult Entertainment Facilities						See Chapter 18.12 NBMC						
*	2.02	Art Gallery					P	See Chapter 18.12 NBMC		P	P			
*	2.03	Automotive/Vehicular												
2.00 COMMERCIAL: (continued)														
*	2.03a	Boat and Watercraft Sales and Service					P	See Chapter 18.12 NBMC	P	P	P	P	P	
*	2.03b	Car Wash					P	See Chapter 18.12 NBMC	P	P	P	P	P	
*	2.03c	Electric Vehicle Charging Station – Restricted, Accessory to a Principal Use	P	P	P	P	P	See Chapter 18.12 NBMC	P	P	P	P	P	P
*	2.03d	Electric Vehicle Charging Station – Public, Accessory to a Principal Use				P	P	See Chapter 18.12 NBMC	P	P	P	P	P	P

2025 Amendments to Definitions and Zoning Districts

P = Permitted use CUP = Conditional use permit required			RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES
LAND USES:			LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
*	2.03e	Electric Vehicle Charging Station as a Stand-Alone Use						See Chapter 18.12 NBMC	P					
*	2.03f	Electric Vehicle Battery Exchange Station						See Chapter 18.12 NBMC	P					
*	2.03g	Gasoline Sales/Service Stations						See Chapter 18.12 NBMC	P					
*	2.03h	Motorcycle Sales/Service					P	See Chapter 18.12 NBMC	P	P	P	P	P	
*	2.03i	Paint and Body Shop					CUP	See Chapter 18.12 NBMC	P			P	P	
*	2.03j	Parts Store					P	See Chapter 18.12 NBMC	P	P	P			
*	2.03k	Auto Rentals and Leasing					P	See Chapter 18.12 NBMC	P	P		P	P	
*	2.03l	Repair and Service Shop					CUP	See Chapter	P	P	P	P	P	

2025 Amendments to Definitions and Zoning Districts

P = Permitted use CUP = Conditional use permit required			RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES
LAND USES:			LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
								18.12 NBMC						
*	2.03m	RV/Commercial Truck Sales/Repair and Maintenance Service						See Chapter 18.12 NBMC	P			P	P	
*	2.03n	Sales (New and Used Auto/Passenger Truck)						See Chapter 18.12 NBMC	P			P	P	
*	2.03o	Snowmobile Sales/Service					P	See Chapter 18.12 NBMC	P	P	P	P	P	
2.00 COMMERCIAL: (continued)														
*	2.03p	Tire Shop (Sales/Service)					P	See Chapter 18.12 NBMC	P		P	P	P	
*	2.03q	Towing and Impound Yard						See Chapter 18.12 NBMC				P	P	
*	2.04	Banks and Financial Institutions					P	See Chapter 18.12 NBMC	P	P	P			

2025 Amendments to Definitions and Zoning Districts

P = Permitted use CUP = Conditional use permit required		RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES
LAND USES:		LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
2.04a	Check Cashing/Quick Loans						See Chapter 18.12 NBMC		P				
*	2.05 Bars and Taverns (Including Microbreweries)					P	See Chapter 18.12 NBMC	P	P	P	P	P	
*	2.06 Business & Professional Offices					P	See Chapter 18.12 NBMC	P	P	P	P	P	
* —	2.07 Business Services					P	See Chapter 18.12 NBMC	P	P	P	P	P	
* —	2.08 Conference Centers and Event Venues					P	See Chapter 18.12 NBMC	P	P	P	P	P	
* —	2.09 Convenience Store — Open 24 Hours					P	See Chapter 18.12 NBMC	P	P	P	P		
* —	2.10 Equipment Rental (No heavy equipment rental allowed in the DC)					P	See Chapter 18.12 NBMC	P	P	P			
	2.11 Farmer's Market — Produce/Other					P	See Chapter	P	P	P	P	P	P

2025 Amendments to Definitions and Zoning Districts

P = Permitted use CUP = Conditional use permit required		RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES
LAND USES:		LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
							18.12 NBMC						
* —	2.12 Funeral Home/Mortuary					P	See Chapter 18.12 NBMC			P			
* —	2.13 Grocery/Supermarket					P	See Chapter 18.12 NBMC	P	P		P	P	
* —	2.14 Hardware Store					P	See Chapter 18.12 NBMC				P	P	
* —	2.15 Health Club (Including Dance, Exercise Studio)					P	See Chapter 18.12 NBMC	P	P	P	P	P	
* —	2.16 Hotel and Motel												
* —	2.16a Hotel						See Chapter 18.12 NBMC	P	P	P	P	P	
2.00 COMMERCIAL: (continued)													
* —	2.16b Motel					P	See Chapter 18.12 NBMC	P					

P = Permitted use CUP = Conditional use permit required			RESIDENTIAL				COMMERCIAL				INDUSTRIAL		PUBLIC FACILITIES	
LAND USES:			LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
*	2.17	Lumber and Associated Sales						See Chapter 18.12 NBMC			P	P		
	2.18	Miniature Golf Course					P	See Chapter 18.12 NBMC			P	P		P
*	2.19	Nursery, Garden, and Landscape Supplies					P	See Chapter 18.12 NBMC		P	P	P	P	
	2.20	Personal Services (Beauty Shop, Dry Cleaner, Tattoo, Shoe Repair, Etc.)					P	See Chapter 18.12 NBMC	P	P	P			
*	2.22	Recreational Vehicle Park and Campgrounds					P	See Chapter 18.12 NBMC	P		P	P	P	
	2.23	Indoor Commercial Recreation Facilities					P	See Chapter 18.12 NBMC	P	P	P	P	P	
*	2.23a	Indoor Shooting Range (Gun and Archery)						See Chapter 18.12 NBMC	P			P	P	
	2.24	Restaurant												

2025 Amendments to Definitions and Zoning Districts

P = Permitted use CUP = Conditional use permit required		RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES
LAND USES:		LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
2.24a	Drive-Thru						See Chapter 18.12 NBMC	P					
* 2.24b	Non-Drive-Thru					P	See Chapter 18.12 NBMC	P	P	P		P	
2.24c	Coffee Stands – Freestanding or Accessory					P	See Chapter 18.12 NBMC	P	P	P	P	P	
* 2.24d	Food Trucks					P	See Chapter 18.12 NBMC	P	P	P	P	P	P
2.25	Research and Development Facilities					P(8)	See Chapter 18.12 NBMC			P	P	P	
* 2.26	Retail					P	See Chapter 18.12 NBMC	P	P	P			
* 2.27	Wholesale Sales												
2.27a	w/Ancillary Associated Retail					P	See Chapter 18.12 NBMC			P	P	P	
2.00 COMMERCIAL: (continued)													

2025 Amendments to Definitions and Zoning Districts

P = Permitted use CUP = Conditional use permit required			RESIDENTIAL				COMMERCIAL				INDUSTRIAL		PUBLIC FACILITIES	
LAND USES:			LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
2.27b	w/o Associated Retail						See Chapter 18.12 NBMC				P	P	P	
2.28	Social and Fraternal Club, Lodge					P	See Chapter 18.12 NBMC				P			
2.29	Storage Facilities													
*	2.29a Mini-Storage (Enclosed)					P	See Chapter 18.12 NBMC				CUP			
*	2.29b Indoor (General)					P	See Chapter 18.12 NBMC				CUP	P	P	
*	2.29c Outdoor (Boats, Cars, Campers, Etc.)						See Chapter 18.12 NBMC				CUP		P	
2.30	Studio (Art, Music, Pottery, Etc.)					P	See Chapter 18.12 NBMC			P	P	P	P	
* —	2.31 Theater, Auditorium, Performance Center, Etc.					P	See Chapter 18.12 NBMC			P	P			

2025 Amendments to Definitions and Zoning Districts

P = Permitted use CUP = Conditional use permit required			RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES
LAND USES:			LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
*	2.32	Veterinary Clinic					P	See Chapter 18.12 NBMC			P	P	P	
	2.33	Commercial Truck Travel Center						See Chapter 18.13 NBMC						
*	2.35	Pawn Shop					P	See Chapter 18.12 NBMC						
	2.37	Tattoo Parlor and/or Body-Piercing Studio (1)	-	-	-	-	-	See Chapter 18.12 NBMC	-	P (1)				
* —	2.38	Hospital						See Chapter 18.12 NBMC	P			P	P	
* —	2.39	Medical/Dental					P	See Chapter 18.12 NBMC		P	P	P	P	
	2.40	Unlisted Commercial Uses	See Procedure for Unlisted Uses											
	2.41	Marijuana Related Uses (Producer, Processor, Retail and Other)	See Chapter 18.60 NBMC											
*	2.42	Indoor Emergency Shelter						See Chapter	P	P	P	P	P	

Commented [JB14]: Covered in Personal Services, Use 2.20

2025 Amendments to Definitions and Zoning Districts

P = Permitted use CUP = Conditional use permit required	RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES
LAND USES:	LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
						18.12 NBMC						
2.00 COMMERCIAL: (continued)												
* 2.43 Indoor Emergency Housing						See Chapter 18.12 NBMC	P	P	P	P	P	
3.00 INDUSTRIAL:												
* _ 3.10 Manufacturing						See Chapter 18.12 NBMC						
* 3.11 Apparel, Fabric, Accessories and Leather Goods					P	See Chapter 18.12 NBMC			P	P	P	
* _ 3.12 Chemical and Related Products						See Chapter 18.12 NBMC					CUP	
* _ 3.13 Computers, Office Machines, and Equipment					P	See Chapter 18.12 NBMC			P	P	P	
* _ 3.14 Electrical Equipment (Appliances, Lighting, Radio, TV, Communications)					P	See Chapter 18.12 NBMC			P	P	P	

P = Permitted use CUP = Conditional use permit required			RESIDENTIAL				COMMERCIAL				INDUSTRIAL		PUBLIC FACILITIES	
LAND USES:			LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
*	3.15	Fabricated Small Components and Products (Containers, Hand Tools, Screw Products, Coatings and Recreational Products)					P	See Chapter 18.12 NBMC			P	P	P	
*	3.16	Food and Beverage Products					P	See Chapter 18.12 NBMC			P	P	P	
*	3.17	Furniture and Fixtures					P	See Chapter 18.12 NBMC			P	P	P	
*	3.18	Handcrafted Products					P	See Chapter 18.12 NBMC			P	P	P	
—	3.19	Heavy Equipment and Vehicles – Indoor						See Chapter 18.12 NBMC				P	P	
*	3.20	Measuring and Controlling Instruments (Medical/Optical, Watches, Computer Software)					P	See Chapter 18.12 NBMC			P	P	P	
—	3.21	Plastic Products						See Chapter 18.12 NBMC				P	P	

P = Permitted use CUP = Conditional use permit required			RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES
LAND USES:			LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
*	3.22	Prepared Materials – Assembly, Processing, and Packaging – Indoor					P	See Chapter 18.12 NBMC			P	P	P	
3.00 INDUSTRIAL: (continued)														
*	3.23	Printing, Publishing, and Allied Industries					P	See Chapter 18.12 NBMC			P	P	P	
*	3.24	Recycling Center						See Chapter 18.12 NBMC					P	
*	3.24a	Recycling Plant						See Chapter 18.12 NBMC					P	
*	3.25	Rubber Products						See Chapter 18.12 NBMC					P	
*	3.26	Sign and Advertising Display (Manufacture)					P	See Chapter 18.12 NBMC			P	P	P	
*	3.27	Stone, Clay, Pottery and China					P	See Chapter 18.12 NBMC			P	P	P	

P = Permitted use CUP = Conditional use permit required			RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES
LAND USES:			LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
*	3.28	Textile Products					See Chapter 18.12 NBMC					P	P	
*	3.29	Construction Company/ Storage Yard					P	See Chapter 18.12 NBMC			P	P	P	
*	3.30	Industrial and Related Equipment – Sales					P	See Chapter 18.12 NBMC			P	P	P	
*	3.31	On-Site Hazardous Waste Treatment						See Chapter 18.12 NBMC				CUP	CUP	
<u>*</u>	3.32	Multitenant Industrial Park					P(8) (4)	See Chapter 18.12 NBMC			P	P	P	
*	3.33	Warehousing and Distribution					P(8) (4)	See Chapter 18.12 NBMC				P (12) (5)	P (12) (5)	
*	3.34	Welding Shop					P	See Chapter 18.12 NBMC			P	P	P	
	3.35	Temporary Industrial Buildings and Uses						See Chapter				P	P	

Commented [MM15]: Eliminating the word storage to avoid confusion with separate storage category.

P = Permitted use CUP = Conditional use permit required	RESIDENTIAL				COMMERCIAL					INDUSTRIAL	PUBLIC FACILITIES	
LAND USES:	LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
						18.12 NBMC						
3.40 Unlisted Industrial Uses	See Procedure for Unlisted Uses											
3.41 Accessory Industrial Uses												
4.00 PUBLIC AND QUASI-PUBLIC:												
* 4.10 Open Space, Park, Trail, and Recreation	P	P	P	P	P	See Chapter 18.12 NBMC	P	P	P	P	P	P
* 4.11 Golf – Course (9 – 18 Hole)						See Chapter 18.12 NBMC			P	P		P
* 4.12 Golf – Driving Range					CUP	See Chapter 18.12 NBMC			P	P		P
* 4.13 Athletic Field/Sports Facilities					CUP	See Chapter 18.12 NBMC	P		P	P		P
4.20 Government Office					P	See Chapter 18.12 NBMC	P		P	P		P
4.21 Library					P	See Chapter 18.12 NBMC	P					P

2025 Amendments to Definitions and Zoning Districts

P = Permitted use CUP = Conditional use permit required		RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES
LAND USES:		LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
4.22	Post Office					P	See Chapter 18.12 NBMC	P					P
4.23	Police and Fire Station					P	See Chapter 18.12 NBMC	P		P			P
4.24	City Hall and/or Public Works					P	See Chapter 18.12 NBMC						P
4.30	School						See Chapter 18.12 NBMC			P			
4.31	Montessori/Preschool, Kindergarten, Elementary, Middle, High School	P	P	P	P	P	See Chapter 18.12 NBMC	P	P	P	P	P	P
4.32	Colleges, Universities, Technical, Trade and Specialty Schools					P	See Chapter 18.12 NBMC	P	P	P	P	P	P
4.40	Churches and Religious Institutions	P	P	P	P	P	See Chapter 18.12 NBMC	P		P	P		P
* 4.50	Museums/Interpretive Centers/Community Centers and Associated Activities					P	See Chapter	P		P	P		P

Commented [MM16]: Strike these as this is only intended as a header - regulations are provided in the subcategories below.

2025 Amendments to Definitions and Zoning Districts

P = Permitted use CUP = Conditional use permit required		RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES
LAND USES:		LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
							18.12 NBMC						
4.60	Mass Transit Facilities Including Park-and-Ride Lots					P	See Chapter 18.12 NBMC	P	P	P	P	P	P
4.75	Unlisted Public and Quasi-Public Uses	See Procedure for Unlisted Uses											
5.00 UTILITIES:													
* 5.10	Public and Private Utilities – Minor	P	P	P	P	P	See Chapter 18.12 NBMC	P	P	P	P	P	P
* 5.20	Public and Private Utilities – Major	P	P	P	P	P	See Chapter 18.12 NBMC	P	P	P	P	P	P
5.21	Municipal WWTP						See Chapter 18.12 NBMC						P
5.30	Wireless Communication Facilities	See Chapters 18.70 and 18.80 NBMC											
6.00 RESOURCE:													
* 6.10	Christmas Tree Farm	P	P			P	See Chapter 18.12 NBMC			P	P		P
* 6.20	Commercial Farm – Produce and Related					P	See Chapter			P	P		P

2025 Amendments to Definitions and Zoning Districts

P = Permitted use CUP = Conditional use permit required		RESIDENTIAL				COMMERCIAL					INDUSTRIAL		PUBLIC FACILITIES
LAND USES:		LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
							18.12 NBMC						
*	6.30 Commercial Greenhouse – Wholesale					P	See Chapter 18.12 NBMC			P	P		
*	6.40 Farmland – Pasture, Crop Uses	P	P	P		P	See Chapter 18.12 NBMC			P	P		P
*	6.60 Public Garden	P	P	P	P	P	See Chapter 18.12 NBMC	P	P	P	P	P	P
*	6.70 Unlisted Resource Land Uses	See Procedure for Unlisted Uses											

NOTES:

*

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

(1)—

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

(1)(2)—

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

(2)(3)—

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

2025 Amendments to Definitions and Zoning Districts

NOTES:

~~(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.~~

Commented [JB17]: Already defined above in 18.06.

~~(6)~~—

~~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.~~

~~(7)~~—~~(3)~~

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

Commented [JB18]: Covered above in 18.10.030 G.

~~(8)~~—~~(4)~~

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

~~(5)~~

~~Research and development facilities (2.25), multitenant industrial park (3.32), and warehousing and distribution (3.33) are allowed within the NMU zone for parcels greater than two acres in size where located between 436th Avenue SE and SE 140th 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.~~
~~Industrial warehousing and distribution shall not exceed 150,000 square feet per building footprint without a CUP. If over 150,000 sf, a CUP is required.~~

Commented [JB19]: Moved up from below.

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

1. Outdoor gun, archery, “paintball” and similar ranges.
2. Permanent carnivals, circuses, amusement parks, and live animal rides, animal exhibitions, and similar type commercial amusements.
3. Manufacturing and related uses as follows: concrete batch plants; asphalt plants; primary metal industries such as foundries/forge shops, smelters, blast furnaces, boiler works, and rolling mills; manufacture of flammable, hazardous, or explosive materials; creosote and related products; coal tar and related products; yeast manufacturing; and manufacture of plastic products from raw materials.
4. Landfills, junkyards, wrecking and salvage yards, garbage dumps, scrap yards, and incinerators (recycling facilities are regulated per 3.24 and 3.24a).

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

5. On-site quarries and other mineral extraction operations that extract soil, logs – storing and processing, paper product manufacturing, stone, sand, gravel, or other minerals from the ground strictly for purpose of sale; provided, that clearing and grading operations, per city regulations, and sand and gravel extraction from waterways, per necessary approvals, are exempt. Retail or wholesale sale of materials quarried or extracted off site is permitted with performance criteria (see Nursery, Garden, and Landscape Supplies – 2.19).
6. Slaughterhouses and rendering plants devoted to the rendering or refining of animal parts, fats, and oils.
7. Tanning of animal hides or skins.
8. Poultry farms for the keeping of poultry for commercial purposes.
9. Conducting business on a public street, sidewalk, or right-of-way without proper authorization from the city.
10. Commercial dog kennels. Only kennels associated with a veterinary clinic are permitted (see 2.32).
11. Pipeline facilities and the transportation of hazardous liquid associated with those facilities. This prohibition does not include:
 - a. Transportation of a hazardous liquid that is transported in a gaseous state;
 - b. Transportation of a hazardous liquid:
 - i. By vessel, aircraft, tank truck, tank car, or other nonpipeline mode of transportation; or
 - ii. Through facilities located on the grounds of a materials transportation terminal that are used exclusively to transfer hazardous liquid between nonpipeline modes of transportation or between a nonpipeline mode and a pipeline, not including any device and associated piping that is necessary to control pressure in the pipeline.
12. ~~Industrial warehousing and distribution shall not exceed 150,000 square feet per building footprint without a CUP. If over 150,000 sf, a CUP is required.~~

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

(Ord. 1824 § 5 (App. B), 2024; Ord. 1818 § 1, 2024; Ord. 1760 § 2 (Exh. B), 2021; Ord. 1756 § 2, 2021; Ord. 1748 § 1 (Exh. A), 2021; Ord. 1730 § 1 (Exh. A), 2020; Ord. 1727 § 1 (Exh. A), 2020; Ord. 1712 § 1 (Exh. A (part)), 2019; Ord. 1694 § 1 (Exh. A), 2019; Ord. 1664 § 1 (Exh. A), 2018; Ord. 1659 § 1 (Exh. A), 2018; Ord. 1653 § 3 (Exh. A (part)), 2018; Ord. 1641 § 2, 2017; Ord. 1640 § 1 (Exh. A), 2017; Ord. 1612 § 1 (Exh. A), 2017; Ord. 1590 § 2 (Exh. A), 2016; Ord. 1578 § 3 (Exh. A), 2016; Ord. 1576 § 3 (Exh. A), 2016; Ord. 1553 § 1 (part), 2015; Ord. 1529 § 2, 2014; Ord. 1517 § 1 (Exh. B), 2014; Ord. 1514 § 1 (Exh. A (part)), 2013; Ord. 1492 § 1 (Exh. A (part)), 2013; Ord. 1442 § 2 (Exh. B (part)), 2011; Ord. 1435 § 1 (Exh. A (part)), 2011; Ord. 1431 § 1 (Exh. A (part)), 2011; Ord. 1404 § 1 (Exh. A (part)), 2010; Ord. 1385 § 1, 2010; Ord. 1334 § 1, 2008; Ord. 1325 § 1 (part), 2008; Ord. 1307 § 1, 2008; Ord. 1256 § 1 (part), 2006; Ord. 1194 § 1 (part), 2003; Ord. 1164 § 2, 2002; Ord. 1153 § 2, 2002; Ord. 1068 §§ 1, 2, 1999; Ord. 1053 § 26, 1998; Ord. 1020 (part), 1997).

18.10.040 Table of bulk and dimensional standards.

To further implement purposes of the zoning title, and to further implement purposes of the respective zoning districts, bulk and dimensional standards are established for respective zoning districts, and in many cases for respective uses within said zoning districts. Bulk and dimensional standards are outlined in Table 18.10.040 and address the following criteria: (1) minimum lot size; (2) maximum lot size; (3) minimum lot width; (4) minimum front yard setback; (5) maximum front yard setback; (6) minimum side yard setback; (7) minimum rear yard setback; (8) maximum building height; (9) maximum building coverage; ~~(10) maximum impervious surface coverage;~~ ~~(1011)~~ maximum building size; and ~~(1211)~~ floor area ratio. An administrative adjustment to bulk and dimensional standards mechanism is provided, with application requirements, procedures and criteria established in Chapter 18.25 NBMC.

Table 18.10.040 – Bulk and Dimensional Standards

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

2025 Amendments to Definitions and Zoning Districts

BULK AND DIMENSIONAL STANDARDS:	RESIDENTIAL DISTRICTS:				COMMERCIAL DISTRICTS:					EMPLOYMENT PARK DISTRICTS:		POSPF DIST.:
						18.12 NBMC						
f. Other Multifamily Structures (lot area per dwelling unit required) (4)				2,000 sf	<u>2,000sf*</u>	See Chapter 18.12 NBMC		2,000 sf				
g. Elderly Homes and Related (5)				10,000 sf	10,000 sf*	See Chapter 18.12 NBMC		10,000 sf	10,000 sf			
h. Upper Floor Dwelling Units (in mixed-use buildings; lot area per dwelling unit)					1,000 sf*	See Chapter 18.12 NBMC	1,000 sf*	1,000 sf*				
i. Commercial Uses (see Table 18.10.030 – 2.00)												
j. Industrial Uses (see Table 18.10.030 – 3.00)												
1. Minimum Lot Size (1): (continued)	LDR 4 DU/Acre Gross Density	CLDR 2 DU/Acre Gross Density	MDR Gross Density	HDR Net Density	NMU Net Density	DC Net Density	IC	IMU Net Density	NB	BP Net Density	EP	POSPF
k. Public and Quasi-Public Uses (see Table 18.10.030 – 4.00)												
l. Utilities (see Table 18.10.030 – 5.00)												
m. Resource Uses (see Table 18.10.030 – 6.00)												
2. Maximum Lot Size:	LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF

2025 Amendments to Definitions and Zoning Districts

BULK AND DIMENSIONAL STANDARDS:	RESIDENTIAL DISTRICTS:				COMMERCIAL DISTRICTS:				EMPLOYMENT PARK DISTRICTS:			POSPF DIST.:
a. Single-Family Dwellings (includes designated manufactured homes) – (Short plats are exempt)			See Chapter 18.11 NBMC	9,000 sf		See Chapter 18.12 NBMC						
b. Cottages (see Chapter 18.11 NBMC)	See Chapter 18.11 NBMC		See Chapter 18.11 NBMC			See Chapter 18.12 NBMC						
c. Duplexes (lot area per dwelling unit)			See Chapter 18.11 NBMC	5,000 sf		See Chapter 18.12 NBMC						
d. Triplexes (lot area per dwelling unit)				4,500 sf		See Chapter 18.12 NBMC						
e. Fourplexes (lot area per dwelling unit)				4,000 sf		See Chapter 18.12 NBMC						
f. Multifamily Structures (lot area per dwelling unit)				4,000 sf		See Chapter 18.12 NBMC						
2. Maximum Lot Size: (continued)	LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
g. Other (elderly homes, commercial, industrial, public/quasi-public, utility, and resource uses (g, i, j, k, l, m from No. 1))						See Chapter 18.12 NBMC						

2025 Amendments to Definitions and Zoning Districts

BULK AND DIMENSIONAL STANDARDS:	RESIDENTIAL DISTRICTS:				COMMERCIAL DISTRICTS:					EMPLOYMENT PARK DISTRICTS:		POSPF DIST.:
3. Minimum Lot Width (10):	LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
a. Single-Family Dwellings (includes designated manufactured homes)	60'	90'	See Chapter 18.11 NBMC	40'		See Chapter 18.12 NBMC						
b. Cottages	See Chapter 18.11 NBMC		See Chapter 18.11 NBMC			See Chapter 18.12 NBMC						
c. Duplex (per dwelling unit for side by side duplexes)			See Chapter 18.11 NBMC	30'		See Chapter 18.12 NBMC		30'				
d. Triplex, Fourplex and Other Multifamily Structures				50'		See Chapter 18.12 NBMC		50'				
e. Other (commercial, industrial, public/quasi-public, utility, and resource uses (i, j, k, l, m from No. 1))	50'		50'	50'	50'	See Chapter 18.12 NBMC	50'	50'	50'	50'	50'	50'
4. Minimum Front Yard Setback: (6)	LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
a. Single-Family Dwellings (includes designated manufactured homes) (3) (7)	20'	30'	See Chapter 18.11 NBMC	10'		See Chapter 18.12 NBMC						
b. Cottages (7)	See Chapter 18.11 NBMC		See Chapter 18.11 NBMC			See Chapter 18.12 NBMC						

2025 Amendments to Definitions and Zoning Districts

BULK AND DIMENSIONAL STANDARDS:	RESIDENTIAL DISTRICTS:				COMMERCIAL DISTRICTS:					EMPLOYMENT PARK DISTRICTS:		POSPF DIST.:
	LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
4. Minimum Front Yard Setback: (6) (continued)												
c. Duplexes (7) 1) Setback may be reduced to 5 feet when fronting a common open space			See Chapter 18.11 NBMC	10'		See Chapter 18.12 NBMC		10'				
d. Triplex, Fourplex and Other Multifamily Structures (7) 1) Setback may be reduced to 5 feet when fronting a common open space			See Chapter 18.11 NBMC	10'	<u>10'</u> *	See Chapter 18.12 NBMC		<u>10'</u>				
e Elderly Homes and Related (5)	20'			10'	10'	See Chapter 18.12 NBMC			10'			
f. Minimum Setback for Residential Front Entry Garage	20'	20'	See Chapter 18.11 NBMC	20'		See Chapter 18.12 NBMC			20'			
g. Accessory Dwelling Units, Structures Uses	See NBMC 18.10.041	See NBMC 18.10.041 and Chapter 18.11 NBMC	See NBMC 18.10.041	See NBMC 18.10.041	See NBMC 18.10.041	See Chapter 18.12 NBMC						
h. Commercial Uses						See Chapter 18.12 NBMC		20'				

BULK AND DIMENSIONAL STANDARDS:	RESIDENTIAL DISTRICTS:				COMMERCIAL DISTRICTS:					EMPLOYMENT PARK DISTRICTS:		POSPF DIST.:
i. Industrial Uses						See Chapter 18.12 NBMC				20'	20'	
4. Minimum Front Yard Setback: (6) (continued)	LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
j. Public and Quasi-Public Uses	20'		20'	20'	20'	See Chapter 18.12 NBMC	20'	20'		20'	20'	20'
k. Utilities (8)	20'		20'	20'	20'	See Chapter 18.12 NBMC	20'	20'	20'	20'	20'	20'
l. Resource Uses										20'	20'	20'
5. Maximum Front Yard Setback: (6, 7)	LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
a. Single-Family Dwellings	30'		See Chapter 18.11 NBMC	30'		See Chapter 18.12 NBMC						
b. Cottages	See Chapter 18.11 NBMC		See Chapter 18.11 NBMC			See Chapter 18.12 NBMC						
c. Duplexes			See Chapter 18.11 NBMC	25'		See Chapter 18.12 NBMC		25'				

2025 Amendments to Definitions and Zoning Districts

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

BULK AND DIMENSIONAL STANDARDS:	RESIDENTIAL DISTRICTS:					COMMERCIAL DISTRICTS:					EMPLOYMENT PARK DISTRICTS:	POSPF DIST.:
c. Duplexes (at exterior side walls)			See Chapter 18.11 NBMC	5' one side; 15' total	10'	See Chapter 18.12 NBMC		5' one side; 15' total				
d. Triplex, Fourplex, and Other Multifamily Structures, including homes for the elderly and related (10)			See Chapter 18.11 NBMC	10'	10'	See Chapter 18.12 NBMC		10'				
e. Commercial Uses						See Chapter 18.12 NBMC						
f. Industrial Uses						See Chapter 18.12 NBMC				25'	25'	
6. Minimum Side Yard Setback: (9, 10) (continued)	LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
g. Public and Quasi-Public Uses	10'		10'		10'	See Chapter 18.12 NBMC						10'
h. Utility Uses (8)	20'		20'	20'	15'	See Chapter 18.12 NBMC	15'	15'	15'	25'	25'	20'
i. Resource Uses						See Chapter 18.12 NBMC				25'	25'	25'

BULK AND DIMENSIONAL STANDARDS:	RESIDENTIAL DISTRICTS:				COMMERCIAL DISTRICTS:					EMPLOYMENT PARK DISTRICTS:		POSITIVE DISTRICTS:
7. Minimum Rear Yard Setback: (11)	LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSITIVE DISTRICTS:
a. Single-Family Dwellings	25'	25'	See Chapter 18.11 NBMC	25'		See Chapter 18.12 NBMC						
b. Cottages	See Chapter 18.11 NBMC		See Chapter 18.11 NBMC	40'	10'	See Chapter 18.12 NBMC						
c. Duplexes			See Chapter 18.11 NBMC	25'	25'	See Chapter 18.12 NBMC		25'				
d. Triplex, Fourplex, and Other Multifamily Structures (including elderly homes and related)				320'	15'	See Chapter 18.12 NBMC		320'				
7. Minimum Rear Yard Setback: (11) (continued)	LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSITIVE DISTRICTS:
e. Other (commercial, industrial, public/quasi-public, utility, and resource uses (i, j, k, l, m from No. 1))	20'		20'	20'	20'	See Chapter 18.12 NBMC			20'			20'
8. Maximum Building Height: (12)	LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSITIVE DISTRICTS:
a. Single-Family Dwellings (includes designated manufactured homes)	35'	35'	See Chapter 18.11 NBMC	35'		See Chapter 18.12 NBMC						

Commented [JB20]: Cottages and/or duplexes are not allowed in these zones.

Commented [JB21]: 30' may be excessive, if they are proposing for open space area we might see it anyways.

BULK AND DIMENSIONAL STANDARDS:	RESIDENTIAL DISTRICTS:				COMMERCIAL DISTRICTS:					EMPLOYMENT PARK DISTRICTS:		POSPF DIST.:
b. Single-Family Dwellings (includes designated manufactured homes) lots within floodplain are measured from lowest floor within the floodplain and on lots of widths 50 feet wide or less, measured at the front property line	35'29'*		See Chapter 18.11 NBMC	NA		See Chapter 18.12 NBMC						
c. Cottages	See Chapter 18.11 NBMC		See Chapter 18.11 NBMC	35'		See Chapter 18.12 NBMC						
d. Duplexes			See Chapter 18.11 NBMC	35'	35'	See Chapter 18.12 NBMC		35'				
e. Triplex, Fourplex, and Other Multifamily Structures (including elderly homes and related)				35'	35'	See Chapter 18.12 NBMC		35'				
f. Commercial Uses					35'	See Chapter 18.12 NBMC	35'	35' (12.b)	30'	35'	35'	
g. Industrial Uses					35'	See Chapter 18.12 NBMC				35'	35'	
8. Maximum Building Height: (12) (continued)	LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
h. Public and Quasi-Public Uses	35'		35'	35'	35'	See Chapter	35'	35'	30'	35'	35'	35'

2025 Amendments to Definitions and Zoning Districts

BULK AND DIMENSIONAL STANDARDS:	RESIDENTIAL DISTRICTS:				COMMERCIAL DISTRICTS:					EMPLOYMENT PARK DISTRICTS:		POSITIVE DISTRICTS:
						18.12 NBMC						
i. Utility Uses	30'		30'	30'	30'	See Chapter 18.12 NBMC	35'	30'	30'	35'	35'	30'
j. Resource Uses										35'	35'	35'
9. Maximum Building Cover: (percent of lot area or project depending on the zone) (13)	LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSITIVE
a. Single-Family Dwellings (includes designated manufactured homes)	LDR-4 35%/5040% sfd/sfd w/ADU	35%/40% sfd/sfd w/ADU	See Chapter 18.11 NBMC	35%/5045% sfd/sfd w/ADU	35%/5045% sfd/sfd w/ADU	See Chapter 18.12 NBMC						
b. Cottages	See Chapter 18.11 NBMC		See Chapter 18.11 NBMC			See Chapter 18.12 NBMC						
c. Duplexes			See Chapter 18.11 NBMC	45%	45%	See Chapter 18.12 NBMC		45%				
d. Triplex, Fourplex, and Other Multifamily Structures (including elderly homes and related)				60%	60%	See Chapter 18.12 NBMC		60%				
e. Commercial, Industrial, Public/Quasi-Public, Utility, Warehousing, Distribution and Resource Uses (i, j, k, l, m from No. 1)						See Chapter 18.12 NBMC			80%			

Commented [JB22]: Increased for 2 ADU and larger ADU allowance. Still need to meet stormwater requirements.

2025 Amendments to Definitions and Zoning Districts

BULK AND DIMENSIONAL STANDARDS:	RESIDENTIAL DISTRICTS:				COMMERCIAL DISTRICTS:					EMPLOYMENT PARK DISTRICTS:		POSITIVE DISTRICTS:
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	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSITIVE
a. Single-Family, Cottage, and Duplex	65%	55%	See-Chapter-18.11-NBMC	65%	-	See-Chapter-18.12-NBMC	-	65%	-	-	-	-
b. Triplex, Fourplex, and Other Multifamily Structures (including elderly homes and related)	-	-	-	75%	75%	See-Chapter-18.12-NBMC	-	75%	-	-	-	-
e. Commercial Uses	-	-	-	-	-	See-Chapter-18.12-NBMC	-	-	55%-with-10%-bonus-possible; see-Chapter-18.34-NBMC	-	-	-
d. Industrial Uses	-	-	-	-	-	See-Chapter-18.12-NBMC	-	-	55%-with-10%-bonus-possible; see-Chapter-18.34-NBMC	-	-	-

Commented [MM23]: Proposing to remove impervious surface coverage limits by zone, as stormwater impacts are separately addressed by stormwater regulations that apply more comprehensively. Also, impervious surface coverage limits here mostly only applied to residential uses, and building coverage limits, setbacks, and landscape buffers address similar impacts concerning the built form. Purpose of amendment is to reduce amount and complexity of regulations by eliminating redundancies.

2025 Amendments to Definitions and Zoning Districts

BULK AND DIMENSIONAL STANDARDS:	RESIDENTIAL DISTRICTS:				COMMERCIAL DISTRICTS:					EMPLOYMENT PARK DISTRICTS:		POSPF DIST.:
e. Other Uses (public and quasi-public, utilities, and resource uses (k, l, m from No. 1))	75%	-	75%	-	-	See Chapter 18.12 NBMC	-	-	55% with 10% bonus possible; see Chapter 18.34 NBMC	-	-	-
1044. Multifamily Maximum Building Size:	LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
a. Multifamily Structures (excluding elderly homes, related assisted living, and mixed-use building containing a retail/office component)				Not more than 10 units per MF bldg.	Not more than 10 units per MF bldg.	See Chapter 18.12 NBMC		Not more than 10 units per MF bldg.				
1142. Maximum Ground Floor Commercial Tenant Space: In all nonresidential zones, development shall comply with the standards set forth in Chapter 18.34 NBMC.	LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF
1213. Floor Area Ratio (15): In all zones, development shall comply with the standards set forth in Chapter 18.34 NBMC.	LDR	CLDR	MDR	HDR	NMU	DC	IC	IMU	NB	BP	EP	POSPF

ACRONYMS/SYMBOLS

FAR floor area ratio

2025 Amendments to Definitions and Zoning Districts

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

GENERAL NOTES – TABLE OF BULK AND DIMENSIONAL STANDARDS:

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

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

FOOTNOTES – TABLE OF BULK AND DIMENSIONAL STANDARDS:

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

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

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

(4) There is no minimum lot size for multifamily residential structures. The lot area per dwelling unit provision controls minimum and maximum lot sizes. The maximum residential density established for the underlying zone may be exceeded by up to fifty (50) percent than what is permitted within the underlying zone, provided that the development is constructed entirely within the existing building envelope in a building within a zone which permits multifamily housing. Health and safety standards such as fire and life safety shall be met within the building.

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

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

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

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

(9) Side yard building projections including but not limited to awnings, cornices, eaves, bay windows, and other architectural features may project into side yards not more than 24 inches. Porches may project into side yard areas not more than two feet. For corner lots, side yard building facades shall be set back 10 feet from the street, or per line-of-sight requirements in NBMC 18.18.175, to provide the clear view triangle area for traffic safety as necessary.

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

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

(12) Building Height.

a. Chimneys may extend approximately six feet above the maximum height measurement; bell/clock towers or similar architectural design features may extend not more than 10 feet above the 35-foot maximum height

Commented [JB24]: This addition and a definition for existing building added per HB 1757 to allow housing units within existing buildings.

2025 Amendments to Definitions and Zoning Districts

requirement in the IC zone; and in no case shall exceed 45 feet; church steeples are permitted up to 45 feet in applicable zoning districts. Rooftop mechanical equipment may extend six feet over the height limit on commercial and industrial buildings if it is set back at least 15 feet from the edge of a roof and covers not more than 10 percent of a roof area.

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

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

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

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

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

(Ord. 1824 § 5 (App. B), 2024; Ord. 1760 § 2 (Exh. B), 2021; Ord. 1748 § 1 (Exh. A), 2021; Ord. 1664 § 2 (Exh. B), 2018; Ord. 1659 § 2 (Exh. B), 2018; Ord. 1653 § 4 (Exh. A (part)), 2018; Ord. 1590 § 3 (Exh. B), 2016; Ord. 1578 § 4 (Exh. B), 2016; Ord. 1576 § 4 (Exh. B), 2016; Ord. 1540 § 1 (Exh. A (part)), 2014; Ord. 1517 § 1 (Exh. C), 2014; Ord. 1514 § 1 (Exh. A (part)), 2013; Ord. 1492 § 1 (Exh. A (part)), 2013; Ord. 1464 § 1 (Exh. A (part)), 2012; Ord. 1404 § 1 (Exh. A (part)), 2010; Ord. 1385 § 3, 2010; Ord. 1334 § 2, 2008; Ord. 1325 § 1 (part), 2008; Ord. 1262 § 2, 2006; Ord. 1256 § 1 (part), 2006; Ord. 1194 § 1 (part), 2003; Ord. 1164 § 3, 2002; Ord. 1053 § 27, 1998; Ord. 1020 (part), 1997).

Commented [JB25]: No corresponding (16) in table.

18.10.041 Bulk and dimensional standards for accessory residential ~~accessory units, structures and uses.~~

A. Detached garages and carports shall be located in side yard or rear yard areas only. All other accessory uses and structures to residential uses single-family dwellings, with the exception of fences and permitted ADU's (addressed under Performance Standards below), shall be located strictly in rear yard areas unless explicitly stated otherwise.

B. Detached garages and detached carports shall maintain five-foot side yard and five-foot rear yard setbacks; however, side or rear yard setbacks may be reduced to zero feet on one side yard lot line if the side yard on the opposite side is a minimum of 15 feet for single-family and 10 feet for cottage. All other accessory uses and structures to single-family dwellings shall maintain five-foot side and rear yard setbacks.

C. For multifamily dwellings, accessory uses and structures shall be located strictly in rear yard areas, and maintain the same standards in subsections (C)(2) and (3) of this section, except that:

1. Garages may be located under residential units.
2. Clubhouses, recreation centers, pools, or sport courts may be located per site plan review and approval.
3. Fences shall be regulated per NBMC 18.18.175.

D. On corner lots, to provide a clear view/sight-distance triangle per NBMC 18.18.175, a 10-foot side yard setback is required for accessory structures.

E. Height of accessory structures shall not exceed 25 feet.

F. Nonconforming Lots and/or Structures. Lots, structures, and/or land uses legally created and/or legally in existence prior to the adoption date of these standards are not subject to the bulk and dimensional standards herein; provided, that any remodeling, reconstruction, or new construction on such lots or to such structures shall meet all bulk and dimensional standards.

G. Conflict with Other Code Provisions. Where bulk and dimensional standards conflict with other standards, provisions of NBMC 18.04.020 shall apply.

2025 Amendments to Definitions and Zoning Districts

H. Site perimeter landscaping requirements in Chapter 18.18 NBMC shall apply to all sites unless precluded by placement of a building to a conflicting minimum setback distance.

I. Shall comply with NBMC 18.10.050(1.52), Land Use Performance Standards. (Ord. 1334 § 3, 2008).

18.10.050 Table of performance standards.

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

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

Table 18.10.050 – Land Use Performance Standards

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
1.00 RESIDENTIAL:	<p>a. All permitted business uses must obtain a North Bend business license.</p> <p>b. All residential development shall comply with Chapter 17.25 NBMC, Residential Recreation and Common Space Requirements.</p> <p>c. New first floor residential is prohibited in the NMU zone <u>when directly adjacent to North Bend Way</u>.</p> <p>d. To minimize driveway cuts and provide for less congestion along North Bend Way, residential uses and subdivisions shall be accessed by existing or future streets, not driveways, and/or take primary access off Cedar Falls Way or other secondary street.</p> <p>e. Street layout and plat design shall create efficient, well-connected streets and neighborhoods. The alignment of neighborhood streets shall provide for continuation and connectivity to adjacent parcels and neighborhoods.</p> <p>f. Residential plats adjacent to the Burlington Northern right-of-way, future Tanner Trail extension, shall provide pedestrian/trail access to and from the future Tanner Trail.</p> <p>g. See NBMC 18.34.050 for single-family design standards and guidelines and Chapter 18.11 NBMC for eottage <u>Medium-Density</u> residential standards.</p> <p>h. Residential zoning districts within the transitional landscape area (TLA) shall require the following:</p> <p>i. Landscaping. Requires the transitional landscape area and landscaping as shown on Figure 1-5 of the North Bend Comprehensive Plan, Land Use Chapter.</p> <p>ii. Where a TLA affects more than 20 percent of the total gross area of any parcel, the TLA may be reduced such that not more than 20 percent of the total gross area of the parcel is affected by the TLA. No fences shall</p>

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	<p>be constructed within the landscape transition zone, except along Interstate 90 (I-90).</p> <p>iii. Regional trail linkages are allowed within the TLA.</p> <p>i. For all single-family and owner-occupied townhomes or condos that have garages, the garage shall be “electric vehicle ready” or “EV-ready” with a connection centered on the garage wall unless an alternate location is selected by a future user. “Electric vehicle ready” or “EV-ready” means a parking space that is designed and constructed to include a fully wired circuit with a 208/240-volt, 40-amp electric vehicle charging receptacle outlet or termination point, including conduit, and wiring and the electrical service capacity necessary to serve the receptacle, to allow for future installation of electric vehicle supply equipment.</p>
1.00 RESIDENTIAL: (continued)	
<p>1.12 Designated Manufactured Homes</p>	<p>a. Manufactured home must be a new manufactured home and is required to comply with all single-family home standards;</p> <p>b. The manufactured home must be set upon a permanent foundation, as specified by the manufacturer, and that the space from the bottom of the home to the ground be enclosed by concrete or an approved concrete product which can be either load-bearing or decorative;</p> <p>c. The manufactured home must comply with all local design standards applicable to all other homes within the neighborhood in which the manufactured home is to be located;</p> <p>d. The home must be thermally equivalent to the State Energy Code;</p> <p>e. The manufactured home must otherwise meet all other requirements for a designated manufactured home as defined in RCW 35.63.160; and</p> <p>f. Must meet the requirements of NBMC 18.34.050 for single-family design standards.</p>
<p>1.13 Manufactured Home Parks</p>	<p>a. Must meet applicable standards of North Bend Municipal Code (NBMC Title 16).</p>

TYPE OF LAND USE:		PERFORMANCE STANDARD(S):
		<p>b. Shall also meet designated manufactured home standards (see 1.12 above), except that homes can be single-wide.</p> <p>c. Must meet the minimum number of floor plans and garage setback requirements in NBMC 18.34.050 for single- family design standards.</p> <p>d. No new parks are allowed. Existing legal mobile home parks or manufactured home parks are allowed to replace homes consistent with current code and shall not be subject to Chapter 18.30 NBMC, Nonconforming Uses.</p>
1.00 RESIDENTIAL: (continued)		
1.20	Multifamily Structures	<p>a. In the NMU zone, new multifamily dwellings are allowed constructed on lots with North Bend Way frontage when commercial uses are placed along the entire frontage. or Bendigo Boulevard shall be second story or above in the NMU zoning district. The first-floor residential portion shall not exceed 40% of the net area of the lot.</p> <p>b. For properties with more than 500 lineal feet along North Bend Way buildings shall be oriented to create one unobstructed 60-foot-wide view corridor per 500 lineal feet through the site to natural surroundings in locations determined by the city. The corridor shall provide visual penetration through the site to the surrounding mountains or other natural features and at least 50 percent of the area of the view corridor shall be open space. An unobstructed view means there are no buildings within such view corridor. If only one corridor is required the entire corridor shall be open space, unless otherwise approved by the director.</p> <p>c. Multifamily structures shall be designed to include usable covered decks, porches, and/or balconies.</p> <p>d. For multifamily buildings four units and greater Architectural features on buildings shall include large rough timbers, natural stone, hand crafted materials, use of natural materials, large roof overhangs, and other architectural features typically seen in mountain or alpine buildings. No white vinyl window frames are allowed.</p> <p>e. For residential developments of 50 units or more, a mix and diversity of multifamily building structures shall be provided including duplex, triplex, and fourplex. No more than 20 percent of the total number of buildings in the</p>

Commented [JB26]: No NMU exists along Bendigo Blvd.

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	development may contain the maximum number of dwelling units per building allowed.
1.31 Adult Family Homes	<p>a. A North Bend business license is required.</p> <p>b. Up to six adults maximum are allowed.</p> <p>c. Must comply with applicable local, county and state standards related to building, fire, safety, health, and operations, including but not limited to those in Chapter 388-76 WAC.</p> <p>d. Must be a single-family detached dwelling.</p>
1.00 RESIDENTIAL: (continued)	
1.32, 1.32a, 1.32b Childcare, Family Day Care Provider, Childcare Center	<p>a. A North Bend business license is required.</p> <p>b. Childcare facilities must comply with all applicable building, fire, safety, health, and business licensing requirements, including a license from the Department of Early Learning.</p> <p>c. Childcare/day care facilities shall have hours of operation where there are no drop-off/pick-ups of children, or deliveries, between the hours of 10:00 p.m. and 5:00 a.m., unless the facility is located on a collector or arterial street.</p> <p>d. In approving, conditioning, or denying an application for a childcare center or family day care business license, the city may consider, in addition to respective criteria for each use, the following:</p> <ul style="list-style-type: none"> i. The location of the proposed facility in relation to traffic impacts and safety concerns to the adjacent neighborhood. ii. The impacts the proposed facility may have on the residential character of the neighborhood. iii. The cumulative impacts of the proposed facility in relation to similar city-approved facilities in the immediate vicinity.

TYPE OF LAND USE:		PERFORMANCE STANDARD(S):	
		iv.	The imposition of a condition under which the city reserves the right to impose conditions or to reconsider the facility within a certain time frame from approval date, based on complaints filed with the city on violation of childcare/day care or home occupation facility standards.
1.33	Homes for the Elderly and Related	a.	Must comply with all applicable guidelines and standards of the Washington State Department of Social and Health Services or its successor agency.
1.35	Transitional Housing	a.	Must comply with all standards of the zone in which the transitional housing is located.
1.36	Permanent Supportive Housing	a.	Must comply with all standards of the zone in which the permanent supportive housing is located.
1.42	Boarding Houses/Co-living Housing	a.	A North Bend business license is required.
		b.	May not exceed two boarding rooms; must be owner-occupied.
		b.e.	Must meet any applicable county and/or state standards and regulations, in addition to local codes, including but not limited to building, fire, safety, and health codes. <u>See additional limitations on regulation of boarding houses and co-living housing in RCW 36.70A.535.</u>
		d.	Must be in a single-family detached dwelling or related ADU.
1.00 RESIDENTIAL: (continued)			
1.51	Accessory Residential Uses	a.	In residential districts, may include but are not limited to carports and garages, fences, decks, patios, swimming pools, sports courts, hot tubs, storage buildings, other outbuildings, accessory dwelling units (ADUs), and recreation and social clubhouses associated with multifamily developments. An accessory use may be attached (i.e., located within or sharing one full wall in common with a residence) or detached (i.e., in a separate structure or outbuilding to the dwelling).
		b.	Detached accessory uses on lots smaller than three-fourths acre in size shall not be higher than 25 feet to the highest point of the structure.

Commented [JB27]: [RCW 36.70A.535: Co-living housing.](#)

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	<p>c. Detached accessory uses on lots smaller than three-fourths acre in size shall cumulatively not have a building footprint more than 75 percent of the building floor area of the principal structure; provided any single-family home shall be allowed to have up to 500 square feet of detached garage or carport and any cottage or multifamily unit shall be allowed to have up to 250 square feet of detached garage or carport per dwelling, and ADU guidelines (below) must be met. For multifamily housing units, the 75 percent standard shall be measured against the largest principal structure on site. Uses that do not require a building permit (buildings less than 200 square feet), as well as swimming pools, sports courts, and other nonstructural site elements, are excluded from the footprint calculations.</p> <p>d. Detached accessory uses on lots of three-fourths acre in size or larger may be larger than the height and size limitations established in (b) and (c) above, if set back a minimum of 20 feet behind the front wall of the principal residential structure, and a minimum of 10 feet from side or rear lot lines.</p> <p>e. Structures containing an accessory use shall meet the setback requirements of the primary residential structure if the structures are attached. Fences, and decks not over 30 inches in height, are excluded from this provision.</p> <p>f. Must comply with standards in NBMC 18.10.041 unless otherwise superseded by the standards in this section.</p>
1.00 RESIDENTIAL: (continued)	
<p>1.52 Accessory Dwelling Units (ADUs)</p>	<p>a. Principal residential units are permitted to have two ADUs.</p> <p>b. An ADU may be attached (i.e., located within or attached to a principal dwelling) or detached (i.e., incorporated in a garage or other outbuilding to the principal dwelling).</p> <p>c. ADUs shall not be larger than 1,000 square feet.</p> <p>d. ADUs may be sold as condominiums subject to preparation of a condominium map per NBMC 17.24.</p> <p>e. ADUs shall conform to building and impervious surface coverage requirements.</p> <p>f.</p>

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	<p>ADUs shall conform to the following bulk and dimensional standards:</p> <ul style="list-style-type: none"> i. Attached ADUs shall meet the bulk and dimensional standards applicable to the principal residential unit. ii. Detached ADUs shall meet the bulk and dimensional standards applicable to the principal unit and maintain a minimum five-foot side yard and ten-foot rear yard setbacks. iii. Detached ADUs shall not exceed 25' in height to the highest point of the ADU structure. On corner lots, a 10-foot side yard setback is required on the side street. iv. ADUs do not require additional lot area than that required for a single-family dwelling. v. Consistent with RCW 36.70A.681, detached ADUs may be sited at a lot line abutting a public alley that is not routinely plowed by the city. <p>g. ADUs shall meet all building, electrical, fire, plumbing, parking, design standards and other applicable code requirements, except that street frontage improvements are not required for ADUs consistent with RCW 36.70A.681. <u>Fire requires a 5' access to the roadway, parking lot, or general access area. If an ADU is more than 150' from the street sprinkling is required.</u></p> <p>h.</p> <p>i. ADUs are permitted for existing single-family detached dwellings within zones that do not allow single-family residential as a new use.</p> <p>j. ADUs shall be recorded on the property title with the King County Recorder's Office. It is the responsibility of the property owner to document the recording prior to final inspection. A copy of the recording shall be provided to the City. The City shall withhold issuance of the Certificate of Occupancy until a copy of the recording is on file.</p> <p>Homeowners Associations are not permitted to prohibit the development of ADUs. Associations with covenants, conditions and restrictions or HOA agreements legally established prior to July 23, 2023 that prohibit the development of ADUs are permitted to continue those already established ADU prohibitions.</p>
1.00 RESIDENTIAL: (continued)	

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
1.53 Home Occupations	<p>a. A North Bend business license is required, and a home occupation may only be undertaken in a residential dwelling unit in which the operator of the home occupation actually resides. A home occupation business license shall be issued under and subject to Chapter 5.04 NBMC, and shall further be subject to the following provisions.</p> <p>b. A home occupation business license shall not be granted in any case for automobile-related services, direct sale of merchandise on the premises, warehousing of materials, manufacturing that involves the conversion of raw materials, medical marijuana collective gardens or any other use involving legal sales or exchanges of marijuana, the provision of tattoos, or the provision of body piercings. Interior, incidental storage not to exceed 500 and 300 cubic feet of materials, respectively, for single-family and multifamily housing units is permitted. Exterior storage is prohibited, except for the growing or storing of plants in rear or side yards of SFDDs that are associated with the home occupation.</p> <p>c. Not more than 25 percent or 500 square feet, whichever is less, of the total floor area of a dwelling unit shall be devoted to the home occupation, excluding attached garages and other accessory structures.</p> <p>d. No more than one person who is not a resident of the dwelling can participate in the home occupation.</p> <p>e. No use of electrical or mechanical equipment which would change the fire rating of the structure or which would create audible or visible interference in radio or television receivers or which would cause fluctuations in line voltage outside the dwelling is allowed. If deemed necessary, the business shall be inspected by the fire marshal, and the applicant must commit to implement all required fire safety measures within a stated time period.</p> <p>f. In addition to parking required for the residents and one permitted nonresident employee, there can be no more than two vehicles parked on or in the vicinity of the property as a result of the business at any one time.</p> <p>g. There can be no more than two deliveries per day either to or from the residence by a private delivery service, and no other use of a commercial vehicle other than that normally used by the applicant or an employee is allowed.</p>

TYPE OF LAND USE:		PERFORMANCE STANDARD(S):
1.00 RESIDENTIAL: (continued)		
1.53 Home Occupations (continued)	h.	In approving, conditioning, or denying an application for a home occupation business license, the city may consider, in addition to respective criteria for each use, the following: <ul style="list-style-type: none"> i. The location of the proposed facility in relation to traffic impacts and safety concerns to the adjacent neighborhood. ii. The impacts the proposed facility may have on the residential character of the neighborhood. iii. The cumulative impacts of the proposed facility in relation to similar city-approved facilities in the immediate vicinity. iv. The imposition of a condition under which the city reserves the right to impose conditions or to reconsider the facility within a certain time frame from approval date, based on complaints filed with the city for violation of family day care or home occupation business license standards.
	i.	Within all commercial zones, no home occupation business license will be issued for a use that is otherwise prohibited in the underlying zone.
	j.	Signs for home occupations shall be mounted on or adjacent to a front door and may not exceed two square feet in cumulative area.
1.54	Upper Floor Dwelling Units (Mixed-Use)	a. Upper floor dwelling units/ <u>horizontal mixed-use buildings with commercial ground floor</u> shall meet the North Bend commercial design standards.
1.55	Interim Housing	a. Interim housing uses are temporary and must comply with procedures and standards outlined in Chapter 18.22 NBMC.

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
2.00 COMMERCIAL:	
	<p>a. All commercial uses must obtain a North Bend business license.</p> <p>b. To provide for increased safety for pedestrians and vehicles along North Bend Way, access shall be off existing secondary streets and/or alleys whenever feasible or via joint use driveways shared between multiple parcels. Driveways serving a single user should be avoided.</p> <p>c. Commercial development within the TLA shall meet the following requirements:</p> <p>i. Landscaping. Requires the transitional landscape area and landscaping as shown on Figure 1-5 of the North Bend Comprehensive Plan, Land Use Chapter.</p> <p>ii. Where a TLA affects more than 20 percent of the total gross area of any parcel, the TLA may be reduced such that not more than 20 percent of the total gross area of the parcel is affected by the TLA.</p> <p>iii. Permitted signs in these areas shall meet the performance standards for low-density residential zoning districts, provided front lighting is down-lit only.</p>
2.00 COMMERCIAL: (continued)	
	<p>iv. Regional trail linkages are allowed within the TLA.</p> <p>d. Lighting shall be full-cut fixtures and comply with the performance standards identified in Section 8.40, Glare, and those in Chapter 18.34 NBMC.</p> <p>e. Unless otherwise noted below with specific uses, storage of all associated uses (i.e., parts, equipment and service areas) should be screened from view</p>

TYPE OF LAND USE:		PERFORMANCE STANDARD(S):
		<p>using 15-foot-wide Type 1 landscaping and located to the side or rear of the development.</p> <p>f. Fences along street frontages shall not be galvanized chain link. If chain link is used for fencing along street frontages it shall be black, green or brown and powder or plastic coated.</p>
2.01	Adult Entertainment Facilities	a. Adult entertainment establishments shall be conditionally permitted under Chapter 18.24 NBMC.
2.03a	Boat and Watercraft Sales	<p>a. Storage of all outdoor parts, equipment and service areas shall be located to the rear of the property and screened using 20-foot-wide Type 1 landscaping.</p> <p>b. Fences along street frontages or regional trails shall not be galvanized chain link. If chain link is used for fencing along street frontages it shall be black, green or brown and powder or plastic coated. Fences in combination with landscaping shall provide a visual site barrier. Per Chapter 18.34 NBMC design standards require buildings to front to North Bend Way.</p> <p>c. Towing, impound and wrecking yards must meet all standards as prescribed by the Washington State Patrol.</p> <p>d. See Chapter 18.12 NBMC for performance standards in the DC zone.</p>
2.03b	Car Wash	
2.03g	Gas and Service Station	
2.03h	Motorcycle Sales/Service	
2.03i	Paint and Body Shop	
2.03j	Parts Store	
2.03k	Auto Rental and Leasing	
2.03l	Repair and Service Shop	
2.03m	RV/Commercial Truck Sales	
2.03n	Sales (new and used auto passenger truck)	
2.03o	Snowmobile Sales/Service	

2025 Amendments to Definitions and Zoning Districts

TYPE OF LAND USE:		PERFORMANCE STANDARD(S):
2.03p	Tire Shop Sales and Service	
2.03q	Towing and Impound yard	
2.00 COMMERCIAL: (continued)		
2.03m	Commercial Truck Centers/Service Areas	<p>a. Substantial improvement of existing commercial truck center/service area facilities shall make available electrical capabilities or other means for each truck to eliminate idling. “Substantial improvements” shall be defined to mean improvements worth more than 50 percent of the assessed value of the improvements as determined by the King County assessor.</p> <p>b. The required amount of vehicular use area landscaping shall be met; however, the location of said landscaping may be adjusted and placed on the perimeter or as a consolidated feature as approved by the director.</p> <p>c. Commercial truck parking areas shall not be located adjacent to public streets, unless a 30-foot Type 2 landscape buffer is provided.</p>
2.06	Business and Professional Office	a. In the BP and EP districts, only business offices associated with the principal, underlying employment park uses are allowed.
2.10	Equipment Rental – Heavy Equipment	<p>a. Storage of all outdoor parts, equipment and service areas shall be located to the side or rear of the property and screened with 15-foot-wide Type 1 landscaping.</p> <p>b. Fences along street frontages shall not be galvanized chain link. If chain link is used for fencing along street frontages it shall be black, green or brown and powder or plastic coated.</p>
2.10a	Equipment Rental	a. All storage of equipment must be in a fully enclosed building or otherwise screened from view behind or to the side of the primary building. Fifteen-foot-wide Type 1 landscaping shall be used around all storage of outdoor equipment and fences used for screening shall not be galvanized chain link. If chain link is used for fencing along street frontages it shall be black, green or brown and powder or plastic coated.
2.16	Hotel and Motel	a. Hotels and motels shall comply with the performance standards herein and with the commercial/mixed-use/industrial design standards and guidelines set

TYPE OF LAND USE:		PERFORMANCE STANDARD(S):	
			<p>forth in NBMC 18.34.050. In the event of conflict between or among any such provisions, the more restrictive as determined by the city shall apply.</p> <p>b. Commercial building height, in the IMU zone, may be increased to 55 feet for a hotel subject to compliance with the performance standards herein and the commercial/mixed-use/industrial design standards and guidelines set forth in NBMC 18.34.050.</p> <p>c. Commercial building height in the IC zone may be increased up to 65 feet for a hotel subject to incorporation of amenities such as restaurant/bar open to the general public, public parking (if needed as determined by director), increased open space/outdoor plaza, additional landscape buffer, and/or public park, etc. Any height above 55 feet may permit a flat rooftop structure.</p> <p>d. The allowance of hotels up to 65 feet in height shall be limited to one hotel within the boundary of the IC zone off Highway 202/Bendigo Boulevard.</p> <p>e. Eaves of not less than 24 inches shall be provided for all roofs if building includes eaves.</p>
2.00 COMMERCIAL: (continued)			
2.16	Hotel and Motel (continued)	f.	For hotels exceeding 35 feet in height, all roof-installed mechanical equipment including, but not limited to, elevator shafts, fire staircases, etc., must be hidden within the roof elements or otherwise not visible from the exterior.
		g.	Air conditioning units shall not project from the face of the building, and shall be integrated into the window system or other centralized system where the units are not visible from the exterior. Any air intakes shall be integrated into the building architecture.
		h.	All exterior building lighting shall be full cut off fixtures. Fixtures shall not be visible from neighboring residentially zoned properties, and shall be placed under balconies or eaves, or otherwise as approved by the city.
		i.	Each unit or room shall provide a window a minimum six feet in width with a transom panel to a minimum height of eight feet, unless otherwise approved by the city during the design review process.
		j.	The following minimum floor heights shall apply:

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	<p>i. Ground Floor Common Areas. Twelve-foot to ceiling height, measured floor to ceiling, except for interior design and accent features.</p> <p>k. Signs. The following performance standards apply to hotels within the IMU or IC zone, and shall control over those set forth in Chapter 18.20 NBMC or any other provision of this code:</p> <p>i. Signs shall be compatible with and not obscure or detract from the architecture, scale, materials and color of the associated building.</p> <p>ii. Pole signs are prohibited.</p> <p>iii. Building-mounted signs shall be limited to five percent of the facade for each building frontage (up to four) with no sign greater than 75 square feet. Signs shall not be oriented towards or be visible from adjacent residentially zoned properties that are exclusively zoned residential.</p> <p>iv. Monument signage shall be limited to a total of 40 square feet, including base, and shall be limited to external down-lit illumination only.</p> <p>v. One entry feature sign is allowed at an ingress and egress point and shall be limited to 10 square feet with external down-lit illumination only.</p> <p>vi. Panel signs shall not be allowed for building-mounted signs. No unarticulated panel signs shall be allowed for monument signs.</p>

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	<p>vii. Building-Mounted Signs. Illumination may include overhead downlighting, subdued halo back lit single stroke neon, opaque can sign with illuminated letters (no box can signs), or channel letters. Unarticulated signs and full internally lit signage are prohibited.</p>
2.00 COMMERCIAL: (continued)	
<p>2.16 Hotel and Motel (continued)</p>	<p>l. To help the building blend with its surrounding natural views, primary building and trim colors shall be natural warm tones of tan, brown, dark gray, brick red, green or blue. Creams, light grays and whites collectively are limited to no more than approximately one-third of the total building facade.</p> <p>m. Roof color for pitched roofs shall be natural dark tones of tan, brown, red, green or gray. All other colors are prohibited.</p> <p>n. Building materials shall be high quality manmade or natural materials such as wood, brick, stone, cultured stone or other high quality and durable material, as approved by the director. Stucco and concrete masonry unit (CMU) shall be limited to no more than 70 percent of a building's primary facade(s). Vinyl and synthetic stucco is prohibited.</p> <p>o. For perimeter landscaping: Type 2 landscaping, as described in NBMC 18.18.080, shall be provided in place of Type 3 landscaping to increase the quantity of evergreens to increase screening functions, and to reduce visual impacts from surrounding views and vistas. Low impact strategies shall be incorporated into the parking lot design and landscaping.</p> <p>p. For any hotels on property fronting to Bendigo Boulevard between I-90 and the South Fork Snoqualmie River, the existing trees within the right-of-way of Bendigo Boulevard shall be retained to the greatest extent possible to maintain the landscaped boulevard character of this right-of-way. Required frontage sidewalks or pathways and utilities shall be placed to the rear of the trees, which may require dedication of additional right-of-way or granting of easements. Any trees that must be removed shall be replaced with the same species, or other tall-growing substitute species approved by the director that are consistent with the overall landscape character of the boulevard and</p>

TYPE OF LAND USE:		PERFORMANCE STANDARD(S):
		<p>provide equivalent screening within five years. Prior to approval of the site plan, a screening landscape plan with arborist review and recommendation shall be approved by the city. Replacement and supplemental right-of-way landscaping shall be installed at the earliest possible point in the development review process to enable growth to occur, and no later than issuance of the grading permit, which may involve reimbursement to the city for such work.</p> <p>q. For hotels located south of I-90, improved pedestrian safety shall be provided at the roundabout, including the I-90 on- and off-ramps at Exit 31, to allow safe pedestrian access to North Bend's commercial areas located north of I-90. Such measures may include, but are not necessarily limited to, the installation of in-roadway warning light crosswalk systems at the crosswalks.</p> <p>r. Hotels and motels shall only permit lodging for short term stay use or other granting of similar use of real property for a period of less than 30 consecutive days.</p> <p>s. Balconies are not required, but are encouraged whether usable or decorative.</p>
2.17	Lumber and Associated Sales	a. Storage of all outdoor merchandise and equipment shall be located to the rear or side of the property. Ten-foot-wide Type 2 landscaping is required when these areas front a street.
2.00 COMMERCIAL: (continued)		
2.19	Nursery, Landscape, and Garden Supply	a. Outdoor storage or stockpiling of soil, bark chips, gravel, railroad ties, or related bulk landscape materials for sale or resale is prohibited in the DC zoning district; incidental business use of these materials is permitted. In the NMU and BP districts, the outdoor storage or stockpiling standard shall be limited to not more than 125 cubic yards of bulk (nonpackaged) materials.
2.22	Recreational Vehicle Park and Campgrounds	<p>a. Must provide adequate utilities, including but not limited to potable water supply, sewage disposal facilities, and electrical connections, as specified by the city's building inspector, King County health department, or relevant authority.</p> <p>b. Rental Space Size. Minimum rental space size for those sites having utility hookups (including cabin units) shall be 1,200 square feet. Minimum rental space size for those sites not having hookups shall be 1,000 square feet. Minimum rental space size shall not include any area required for access roads, service buildings, recreation areas, office and similar RV park needs. A</p>

2025 Amendments to Definitions and Zoning Districts

TYPE OF LAND USE:		PERFORMANCE STANDARD(S):
		minimum of 10 percent of the sites shall be for the exclusive use of basic tent camping.
2.00 COMMERCIAL: (continued)		
2.22 Recreational Vehicle Park and Campgrounds (continued)	c.	The minimum distance between rental spaces shall be 15 feet. Larger separation buffers a minimum of 20 feet in width with retained or planted trees and Type 2 landscaping shall be provided between every fifth (or fewer) rental space, such that no more than four rental spaces are at the minimum separation distance. Healthy existing tree clusters shall be incorporated wherever possible and considered in determining where to place the rental spaces and larger separation buffers.
	d.	New RV parks are intended for short-term camping and recreational use, and shall impose a maximum length of stay of 45 consecutive days in any one-year period for any occupants or RV vehicles. RV parks in existence as of December 2016 shall impose a maximum length of stay of 180 days in any one-year period.
	e.	In addition to conformance with perimeter landscape regulations in Chapter 18.18 NBMC, a minimum of two evergreen trees shall be provided adjacent to each rental space, which may include retained existing trees. The ground area between rental spaces and within the recreation areas shall be covered with preserved native vegetation, grass lawn or other landscaping.
	f.	A minimum of 40 percent of all significant trees as defined in Chapter 19.10 NBMC shall be retained on site within a recreational vehicle park. 0.33 significant tree credits will be provided for each nonsignificant tree over 12 feet tall retained on the site. Refer to Chapter 19.10 NBMC for all other tree-preservation requirements.
	g.	To preserve the scenic, forested character along I-90, a designated National Scenic Byway, RV parks on properties adjacent to I-90 at Exit 34 shall retain the native vegetation within the 50-foot native growth protection easement identified along I-90 in the Edgewick Village Plat of 1980.
	h.	Recreational vehicle pads may be graveled or paved. All other parking, driveways and drive aisles shall be paved as required per Chapter 18.16 NBMC.

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	<p>i. Up to 30 percent of the sites within the RV park may be occupied by cabin units for the purpose of short-term rental occupancy. Cabin units may consist of yurts or site-built cabins of a comparable size to an RV. The RV park shall impose a limit on occupancy of cabin units by any one party of no greater than 30 days in any one-year period.</p> <p>j. Site design shall be subject to the site-related provisions of the city's commercial design standards in Chapter 18.34 NBMC. All buildings, including cabin units, shall meet the following building-related performance standards:</p> <p>i. Materials used on buildings/cabins shall include rough timber or other natural materials or finishes typically used on mountain buildings, and shall be stained or painted darker natural-tone colors to blend with the forested character of the site. Buildings and cabins shall not use vinyl or metal siding.</p> <p>ii. Buildings need not be built fronting to the sidewalk as may otherwise be required per Chapter 18.34 NBMC, but may be located internal to the site behind required perimeter landscaping.</p> <p>iii. Recreational vehicle pads shall not be located adjacent to North Bend Way. Pads shall be placed behind required frontage improvements or primary site buildings.</p>
2.00 COMMERCIAL: (continued)	
2.22 Recreational Vehicle Park and Campgrounds (continued)	<p>iv. Site-built cabin units shall include a roof pitch of 4:12 or greater with eaves a minimum of 12 inches in depth, and contain a covered porch a</p>

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	<p>minimum of 30 square feet or a stoop with a deck or patio a minimum of 30 square feet.</p> <p>v. Yurt cabin units shall include a deck or patio a minimum of 30 square feet.</p> <p>vi. All cabin units shall include either a foundation or wood or wood-lattice skirting around the exterior perimeter below any floor area.</p> <p>k. Appropriate examples:</p> <div data-bbox="1016 635 1532 847" data-label="Image"> </div> <div data-bbox="1140 898 1406 1114" data-label="Image"> </div> <p>l. The RV park shall keep all grounds and sites within the park well maintained and ensure that occupants do not store equipment or belongings outside of RVs or cabin units in quantities beyond that typical to camping or vacation use.</p>

TYPE OF LAND USE:		PERFORMANCE STANDARD(S):	
2.00 COMMERCIAL: (continued)			
2.23a	Indoor Shooting Range (Gun and Archery)	<p>a. All indoor shooting ranges shall comply with applicable local, state and federal laws, standards and regulations.</p> <p>b. All indoor shooting ranges shall implement industry best management practices.</p> <p>c. Noise Abatement. The building design or use must incorporate sound reduction techniques so that noise levels from the discharge of firearms do not exceed 50 dB as measured at the property line to residential zoned properties. Refer to Chapter 8.26 NBMC, Noise Abatement and Control, for all other zones.</p> <p>d. Ventilation. HEPA filters are required for exhaust fans.</p> <p>e. Solid Lead. The application must provide a plan for the safe removal and disposal of lead and lead dust. Lead and lead dust may not be disposed of in either the storm or sanitary sewer system.</p> <p>f. Containment. Bullet traps, range walls, floors and ceilings must capture all bullets and arrows. Bullet traps, floors, walls and ceilings must all be sufficiently strong to prevent bullets and/or arrows from leaving the range room.</p> <p>g. Security. The application must include a security plan which at a minimum contains a continuously operating video surveillance system located on all exterior entrances.</p>	
2.24b	Restaurant (Non-Drive-Thru)	a.	In the DC and IC districts, are permitted to be open for 24 hours. In the NMU, NB and IMU districts, are expected to be open for maximum 16-hour-per-day periods – not at night.
2.24d	Food Trucks	<p>a.</p> <p>i.</p>	<p>Parking.</p> <p>For food trucks located in the Downtown Commercial area, no more than two public parking spaces may be occupied. Food trucks are not allowed along Orchard from SE 5th Street to Meadow Drive SE due to sight distance concerns and heavy</p>

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	<p>pedestrian use areas. Further, food trucks are not allowed within vehicle sight triangles at intersections and shall not create any visual or safety obstructions at intersections.</p> <p>ii. No food truck located either in off-street public parking or on street public parking shall remain in excess of 24 consecutive hours, or as specifically posted.</p> <p>iii. Each site occupied by a food truck must provide or have available sufficient parking and vehicular maneuvering area for customers. Such parking need not comply with Chapter 18.16 NBMC, Parking Regulations, but must provide safe and efficient interior circulation and ingress and egress to and from public rights-of-way.</p> <p>iv. No food truck shall park adjacent to or within 18 feet (on the same side of the street) of an existing restaurant unless they have the property owner's permission.</p> <p>b. Permits and Approvals.</p> <p>i. All food trucks shall be permitted under a food truck permit and pay the associated fee as established by the Taxes Rates and Fees Schedule. Food trucks permitted under a special events permit shall not be required to obtain a food truck permit.</p>
2.00 COMMERCIAL: (continued)	

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	<div data-bbox="936 355 1621 427"> <p>ii. All food trucks must obtain a city of North Bend business license prior to occupancy of the site.</p> </div> <div data-bbox="936 435 1621 587"> <p>iii. The food truck shall comply with all applicable standards of Public Health – King County, the Fire Marshal, state Labor & Industries insignia, and all other relevant state and local regulations.</p> </div> <div data-bbox="936 595 1621 850"> <p>iv. The applicant shall supply to the city written authorization from the owner of property on which the food truck is to be located. If it is to be located on public right-of-way, an approved food truck permit shall serve as owner authorization. A right-of-way use permit is not required unless the food truck shall be parked for longer than 12 hours at one period.</p> </div> <div data-bbox="595 858 1137 882"> <p>c. Additional Conditions.</p> </div> <div data-bbox="936 890 1621 994"> <p>i. Applicant shall provide and maintain a private waste receptacle near the food truck and keep the public ROW free of litter, drink and food waste.</p> </div> <div data-bbox="936 1002 1621 1177"> <p>ii. Food truck locations shall be kept clean and litter free at all times. All operations, including but not limited to: signs, refuse containers, generators, handwashing stations, etc., shall be confined to the approved location.</p> </div> <div data-bbox="936 1185 1621 1265"> <p>iii. Upon completion and removal of the food truck, each site occupied by a food truck shall be free of debris,</p> </div>

TYPE OF LAND USE:		PERFORMANCE STANDARD(S):	
		<p>litter, or other evidence of the temporary use.</p> <p>iv. No dumping of any waste, grease, water, etc., into any drains is permitted at any time.</p> <p>v. If generators are being used, they must be quiet generators in good condition with a maximum of 55 dB(A).</p> <p>vi. All materials, structures and products related to the food truck must be removed from the premises between days of operation, except between consecutive days of operation.</p> <p>vii. The director may establish such additional conditions as may be deemed necessary to ensure land use compatibility and to minimize potential impacts on nearby uses.</p>	
2.26 and 2.27	Retail and Wholesale Sales	<p>a. In the BP and EP 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.</p> <p>b. In the NMU zone, retail must occupy a minimum of 20 percent of the gross floor area.</p>	
2.29	Storage Facilities	<p>a. The required amount of vehicular use area landscaping shall be met; however, the location of said landscaping may be adjusted and placed on the perimeter or as a consolidated feature as approved by the director.</p> <p>b. Fences along street frontages shall not be galvanized chain link. If chain link is used for fencing along street frontages it shall be black, green or brown and powder or plastic coated.</p> <p>c. In the NB zone, storage facility buildings are limited to two stories.</p>	
2.00 COMMERCIAL: (continued)			

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
2.29c Outdoor Storage of Boats, Cars, Campers, Etc.	<p>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.</p> <p>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 NB 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.</p> <p>c. The required amount of vehicular use area landscaping shall be met; however, the location of said landscaping may be adjusted and placed on the perimeter or as a consolidated feature as approved by the director.</p>
2.32 Veterinary Clinic	a. Exterior kennels or runs are prohibited in the NMU and DC zoning districts.
2.35 Pawn Shop	a. CUP review shall prohibit No security devices such as bars on the windows are allowed and businesses shall address aesthetics by limiting window signs and requiring an attractive facade and high-quality finishes and landscaping consistent with commercial design standards.
2.41- Marijuana Related Uses (Producer, Processor, Retail and Other)	See Chapter 18.60 NBMC.
2.42 Indoor Emergency Shelter	<p>a. 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.</p> <p>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.</p> <p>c. Must comply with all standards of the zone in which the indoor emergency shelter is located.</p>
2.43 Indoor Emergency Housing	a. 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.

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	<p>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.</p> <p>c. Must comply with all standards of the zone in which the indoor emergency housing facility is located.</p>
3.00 INDUSTRIAL:	
<p>3.00 All Industrial Uses</p>	<p>a. Must obtain a North Bend business license.</p> <p>b. To provide for increased safety for pedestrians and vehicles along North Bend Way, access should be off existing secondary streets and/or alleys whenever feasible or via joint use driveways shared between multiple parcels. Driveways serving a single user should be avoided.</p> <p>c. Industrial development within the TLA shall meet the following requirements:</p> <ul style="list-style-type: none"> i. Landscaping. Required per Chapter 18.18 NBMC, Landscaping Regulations, and as shown on Figure 1-5 of the North Bend Comprehensive Plan, Land Use Chapter. ii. Where a TLA affects more than 20 percent of the total gross area of any parcel, the TLA may be reduced such that not more than 20 percent of the total gross area of the parcel is affected by the TLA. iii. Permitted signs in these areas shall meet the performance standards for low-density residential zoning districts, provided front lighting is down-lit only. iv. Regional trail linkages are allowed within the TLA.

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
	<p>d. The maximum building size may be increased through CUP approval when creating a significant employment base at approximately one job/500 gross sq. ft., or as determined by the director.</p> <p>e. Lighting shall be full-cut fixtures and comply with the performance standards identified in Section 8.40, Glare, and with Chapter 18.34 NBMC.</p> <p>f. Unless otherwise noted below with specific uses storage of all associated uses (i.e., parts, equipment and service areas) should be screened from view using 15-foot-wide Type 1 landscaping and located to the side or rear of the development.</p> <p>g. Fences along street frontages shall not be galvanized chain link. If chain link is used for fencing along street frontages it shall be black, green or brown and powder or plastic coated.</p>
3.00 INDUSTRIAL: (continued)	
<p>3.00 All Industrial Uses (continued)</p>	<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 September 21, 2010, and located within the BP zone, and any subsequent expansion of any such uses and buildings, including expansion into new buildings and uses associated with the existing use, shall be exempt from compliance with this provision.</p>

Commented [JB28]: Moved to definitions ‘

TYPE OF LAND USE:		PERFORMANCE STANDARD(S):	
		i.	The city highly encourages all buildings to be constructed to meet the minimum program requirements of LEED, Leader in Energy Efficient Design, Silver Certification; however, this is not a requirement.
3.11	Apparel, Fabrics, Etc.	a.	These uses are permitted as indicated in Table 18.10.030. Within the NMU and NB districts, the scale of industrial and/or manufacturing operations associated with these uses shall be limited and shall include limited truck or associated shipping and receiving traffic and generally limited land use impacts on surrounding properties and the zoning district. Additional mitigating conditions may be placed on the use through the SEPA process to address impacts of the use that are not addressed through conformance to the city's development regulations.
3.15	Fabricated Small Components and Products (Containers, Hand Tools, Screw Products, Coatings and Recreational Products)	b.	Within the NMU and NB districts, 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:
3.16	Food and Beverage Products	i.	Use shall not exceed the size limitation in NBMC 18.34.050 for ground floor single-user commercial square footage.
3.17	Furniture and Fixtures	ii.	Use must contain a retail storefront component, except as authorized under subsection (c) of this section or must be located behind other retail, service or office uses within the building that front directly to the street.
3.18	Handcrafted Products	iii.	All manufacturing activities and associated storage areas shall be fully contained within the building.
3.00 INDUSTRIAL: (continued)			

TYPE OF LAND USE:		PERFORMANCE STANDARD(S):	
3.20	Measuring and Controlling Instruments	c.	Within the NMU zone, for limited scale industrial/manufacturing uses as listed herein on parcels located between Thrasher Avenue NE and the intersection of North Bend Way and SE Tanner Road, the following exception to subsection (b) of this section shall apply:
3.22	Prepared Materials – Indoor assembly, processing and packaging	i.	Uses constructed on parcels located substantially behind other parcels that are immediately adjacent to the street, or constructed together with other buildings containing separate uses located directly adjacent to the street (such that the building containing the use listed herein cannot be built adjacent to the street), do not require a retail storefront component.
3.23	Printing, Publishing and Allied Industries		
3.26	Signs and Advertising Display		
3.27	Stone, Clay, Pottery, and China		
3.31	On-Site Hazardous Waste Treatment	a.	Permitted as an accessory use only to permitted activities in zones generating hazardous waste; provided, that facilities meet siting criteria in RCW 70.105.210.
4.00 PUBLIC AND QUASI-PUBLIC USES:		a.	All public and quasi-public uses within the park, open space, and public facilities district (see Table 18.10.030 – 4.00) are subject to applicable covenants or restrictions associated with respective public or quasi-public properties and approval by the city council as necessary (e.g., for sale, lease, use, or otherwise).
4.10	Open Space, Park, Trail and Recreation	a.	In residential districts, with the exception of golf courses, shall be noncommercial in nature.
4.11	Golf Course	b.	In residential districts, active recreational complexes shall not include major athletic facilities like stadiums, field complexes, multicourt indoor tennis facilities, or the like.
4.12	Golf Driving Range	c.	Recreational or social clubhouses, or community buildings, are permitted in all residential zoning districts.
4.13	Athletic Fields/Sport Facilities	d.	All park and related recreational uses shall be subject to any criteria or guidelines set forth in the city of North Bend's Comprehensive Plan, review and recommendation by the parks board, and applicable design guidelines.

TYPE OF LAND USE:		PERFORMANCE STANDARD(S):	
4.40	Churches and Religious Institutions	a.	In the LDR district, must be located on or within 300 feet of a collector or arterial street, as defined by the director of community services.
		b.	Any residence located in conjunction with churches and religious institutions shall comply with provisions governing residential uses.
4.00 PUBLIC AND QUASI-PUBLIC USES: (continued)			
4.50	Museum/Interpretive Center/Community Centers and Associated Activities	a.	Museums and interpretive centers shall be nonprofit businesses incorporated under the Internal Revenue Code Section 501(c)(3) regulations.
		b.	Activities permitted at museums and interpretive centers shall be approved by the respective management of the museum or center and shall not be inconsistent with the purpose of the underlying zoning district or incompatible with surrounding land uses.
		c.	Museums and interpretive centers that include restoration of large-scale equipment shall be permitted only in the EP-1 district, and shall require a conditional use permit.
5.00 UTILITIES:			
5.10	Public and Private Utilities – Minor	a.	Shall be visually screened and meet requirements of the city’s landscape, design review, and/or clearing and grading codes.
		b.	Satellite dish antennas shall not exceed 36 inches in diameter, and shall be installed strictly in rear yard areas. In multifamily buildings, multiple dish antennas are prohibited.
5.20	Public and Private Utilities – Major	a.	Same as standards for 5.10 (above).
6.00 RESOURCE USES:			
6.10 6.20 6.30 6.40 6.60 6.70	Christmas Tree Farm Commercial Farm – Produce	a.	Where commercial in nature, must obtain a North Bend business license.
		b.	All resource uses must comply with best management practices, be they for agricultural, horticultural, silvicultural, or other resource-based operations.
		c.	Must meet applicable standards of the Washington State Department of Agriculture and/or Department of Natural Resources.

TYPE OF LAND USE:		PERFORMANCE STANDARD(S):	
	Commercial Greenhouse Farmland, Pasture, Crops Public Garden Unlisted Resource Uses	d.	All resource uses within the park, open space, and public facilities district are subject to applicable covenants or restrictions associated with respective public or quasi-public properties and approval by the city council as necessary (e.g., for sale, lease, use, or otherwise).
		e.	Right to farm/right to forest is an ordinance that protects farmers and farm operations or foresters and forest operations from private or public nuisance laws.
		f.	TDR program sending sites.
6.65	Temporary Resource Buildings or Uses	a.	Temporary resource buildings and uses must comply with procedures and standards outlined in Chapter 18.22 NBMC.
7.00 UNLISTED USE STANDARDS:			
7.10	Outdoor Storage of Vehicles	a.	For all single-family uses, with the exception of garages or carports, parking spaces or yard areas shall not be utilized for the storage of any motor vehicle or vehicle accessory such as trucks, camper shells, boats, trailers, motorcycles, or other wheeled accessory or conveyance except those vehicles owned by the owner or occupant of the residence. Such vehicles shall have a current license from the state of Washington if required to operate on the road and shall not occupy an area greater than the total area permitted for detached accessory structures as calculated in 1.51.
		b.	For all cottage and multifamily uses and districts, with the exception of garages or carports, parking spaces or yard areas, shall not be utilized for the storage of any motor vehicle or vehicle accessory such as trucks, camper shells, boats, trailers, motorcycles, or other wheeled accessory or conveyance. For purposes of this section, "storage" means a period of 72 hours during which the vehicle or vehicle accessory is nonutilized.
		c.	Commercial and employment park zoning district lands shall not be utilized for the outdoor storage of any truck, motor vehicle, or vehicle accessory such as trailers, camper shells, boats, motorcycles, or other wheeled accessory or conveyance; provided, storage uses may be permitted if they (i) are a permitted use; (ii) are incidental to the underlying permitted use. For purposes of this section, "storage" means a period of 72 hours during which the vehicle or vehicle accessory is nonutilized.

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
8.00 ENVIRONMENTAL QUALITY STANDARDS FOR ALL USES:	a. All land uses in all zoning districts shall meet nuisance standards under Chapter 8.08 NBMC, as well as the environmental quality performance standards outlined below in 8.10 through 8.70.
8.10 Air Quality	<p>a. Odors from gases or other odorous matter shall not occur in quantities as to be unreasonably offensive beyond the exterior property lines of the lot or site.</p> <p>b. Smoke may not be emitted from any source in a greater density of gray than that described as No. 1 on the Ringelmann Chart, except that visible gray smoke of a shade darker than that described as No. 2 on the Ringelmann Chart may be emitted for not more than four minutes in any 30-minute period. Provisions applicable to visible gray smoke shall also apply to visible smoke of a different color but with an equivalent apparent opacity.</p> <p>c. Dust, dirt, fly-ash, or airborne solids from any sources shall not be in a density greater than that described as No. 1 on the Ringelmann Chart.</p> <p>d. Toxic gases or matter shall not be emitted in quantities which may be damaging to health, animals, vegetation, or property or which can cause any excessive soiling beyond the exterior of the property lines of the lot or site.</p> <p>e. Must meet any standards or requirements promulgated by the Puget Sound Air Pollution Control Agency, or other air-quality regulatory and/or enforcement bodies.</p>
8.00 ENVIRONMENTAL QUALITY STANDARDS FOR ALL USES: (continued)	
8.20 Vibration	a. Vibration from any machine, operation, or process which exceeds three-thousandths of one inch displacement or three-tenths g peak acceleration, whichever is greater, as measured at any point outside the property lines of the lot or site, shall be prohibited. The latter shall apply in the frequency range of zero to 5,000 cycles per second. Shock absorbers or similar mounting shall be allowed to permit compliance with this specification.
8.30 Heat	a. No use shall produce heat perceptible beyond its lot lines.
8.40 Glare	a. No use shall produce direct light or glare beyond its property lines.
8.50 Noise	a. Emission of noise and vibration shall not exceed those in excess of allowable levels under Chapter 8.26 NBMC.

2025 Amendments to Definitions and Zoning Districts

TYPE OF LAND USE:	PERFORMANCE STANDARD(S):
8.60 Liquid and Solid Waste	a. Discharge of any material which can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise emit dangerous or offensive material into public or private sewers, water bodies, or into the ground, except in compliance with Washington State Department of Ecology standards, shall not be permitted.
8.70 Storage and Waste Disposal	a. Storage and handling of all flammable, combustible, explosive, and/or other hazardous materials shall be in compliance with the International Fire Code (IFC) and other applicable codes, including but not limited to Articles 30, 76, 77, 79, 80, and 82 in the IFC.
	b. All above-ground, outdoor storage facilities for fuel, raw materials, and products shall be enclosed by an approved fence designed for safety.
	c. Storage of hazardous materials shall be completely enclosed in nonpermeable containers.
	d. All materials or wastes which might cause fumes or dust, or constitute a fire hazard, shall be stored in containers adequate to eliminate such hazard.

(Ord. 1824 § 5 (App. B), 2024; Ord. 1818 § 2, 2024; Ord. 1767 § 1, 2022; Ord. 1765 § 1, 2021; Ord. 1760 § 2 (Exh. B), 2021; Ord. 1756 § 3, 2021; Ord. 1748 § 1 (Exh. A), 2021; Ord. 1712 § 1 (Exh. A (part)), 2019; Ord. 1684 § 1, 2019; Ord. 1664 § 3 (Exh. C), 2018; Ord. 1657 § 8, 2018; Ord. 1641 § 3, 2017; Ord. 1612 § 2 (Exh. B), 2017; Ord. 1590 § 4 (Exh. C), 2016; Ord. 1583 § 3, 2016; Ord. 1578 § 5 (Exh. C), 2016; Ord. 1576 § 5 (Exh. C), 2016; Ord. 1553 § 1 (part), 2015; Ord. 1529 § 3, 2014; Ord. 1517 § 1 (Exh. D), 2014; Ord. 1492 § 1 (Exh. A)(part), 2013; Ord. 1486 § 1 (Exh. A), 2013; Ord. 1464 § 1 (Exh. A (part)), 2012; Ord. 1442 § 2 (Exh. B (part)), 2011; Ord. 1431 § 1 (Exh. A (part)), 2011; Ord. 1404 § 1 (Exh. A (part)), 2010; Ord. 1397 § 1 (Exh. A), 2010; Ord. 1385 § 4, 2010; Ord. 1384 § 1, 2010; Ord. 1334 § 4, 2008; Ord. 1325 § 1 (part), 2008; Ord. 1262 § 3, 2006; Ord. 1256 § 1 (part), 2006; Ord. 1194 § 2, 2003; Ord. 1167 § 3, 2002; Ord. 1165 § 3, 2002; Ord. 1164 § 4, 2002; Ord. 1153 §§ 3, 4, 2002; Ord. 1073 § 1, 1999; Ord. 1020 (part), 1997).

¹ Prior legislation: Ords. 908, 735 and 721.

MEMO

To: Planning Commission
From: Planning Division
Prepared By: Caitlin Hepworth
Re: Sign Code Definitions – Staff Updates



Dear Planning Commission,

Included in your September 3, 2025 Agenda Packet are the revised amendments Sign Code NBMC Chapter 18.20.010 regarding adopted definitions. This memo is intended to provide transparency on staff recommended edits from the last iteration of amendments presented at the August 20th meeting. Revised proposed amendments are included in this packet.

- **Question to Commission:** Do you have any recommended edits to proposed definitions as of today's meeting?
- **Question to Commission:** Do you have any concerns on the below noted edits to proposed definitions?

Staff Edits Made Since August 20th, 2025

Below is a summary of staff changes to amendments proposed in NBMC 18.20.010 regarding definitions.

- A-Frame Sign: The Building Official recommended removal of “pedestal signs” as an alternative term for an a-frame sign because pedestal signs are not a stable style of sign and are easily blown over when used outside. These are more common indoor signs that would not be subject to regulation.
- Abandoned Sign: The Building Official recommending reducing the period of time that would determine if a sign has been abandoned or not. A sign is currently considered abandoned if the sign has been left blank or unused for a period of 90-days instead of a year. A sign for a special event is also considered abandoned 7-days after the event occurs.
- Alteration, Sign: Corrected a typo from “alternation” to “alteration”.
- Construction, Contractor, or “Coming Soon” Signs: The Building Official recommended specifying these signs may only be posted during “active construction”.
- Double-Faced Sign: A typo was identified. “Displace” was replaced with “display”.
- Drive-thru Sign: A typo was identified. “Displace” was replaced with “display”.
- Public Art: A typo was identified. “Statute” was replaced with “statue”.
- Stake/Wire Frame Sign: An addition was added to specify a “similar supporting device” could fall under this term.

Proposed Amendments to NBMC 18.20

NBMC 18.20.040 Definitions

For the purposes of this chapter, the words set out in this chapter shall have the following meanings:

"A-Frame sign" means a portable, two-faced sign capable of being moved easily and is not permanent affixed to the ground, a structure, or a building. An a-frame sign is often referred to as a "sandwich board" or "movable" sign.

"Abandoned sign" means any sign defined herein that is not currently being used to advertise a currently licensed business, lessor, service, owner, product, or activity for which the legal owner cannot be found, licensed by the city of North Bend to operate at the location of the sign for a period of one year or more, or is left blank or unused for a period of one year or more, is in significant disrepair and presents a safety hazard, or any sign is left out for display after the specified time limit on permit expires. For a special event sign, the sign is considered abandoned seven days after the subject event occurs.

"Address sign" means letters or numerals or a combination of both that provides building identification and contains no advertising (for example, an address or suite number).

"Alteration, Sign" means any sign face that is changed in color, shape, size, or illumination, or is replaced or relocated within the same property of original construction.

"Animated Sign" means any sign with scrolling copy, illustrations, flashing or blinking lights, moving features or the illusion of moving features, or revolves, rotates, or turns.

"Area of a sign" means the entire face of a sign, including the advertising display surface and any framing, trim or molding, but not including the supporting structure. Area is computed by multiplying the height of the display area by the width of the display area. For free-form signs and signs using channel letters and other irregular signs, the area is the calculated area of the smallest geometric shape that will enclose the letters or pictorial matter. Where letters or pictorial matter are placed on a lighted background or panel, the entire area of the lighted background or panel shall be considered as the area of the sign.

"Automobile Fueling Station Sign" means a non-movable sign used to display price of fuel.

"Awning sign" means a sign placed upon, attached to, constructed on, or supported by an awning (a roof-like structure extending over or in front of a place) or canopy.

"Banner" means a sign, made of flexible, sturdy material and affixed to a building or other structure on a temporary basis. Banners do not include ~~excluding~~ state or national flags, see the definition for "flag".

"Billboard" means outdoor advertising signs containing a message, commercial or otherwise, unrelated to any use or activity on the property on which the sign is located.

Commented [CH1]: Please note, we will not be making any hearing in the near term. We can adjust/add definitions as we proceed with the sign code amendment process.

Commented [CH2]: Staff added a consolidated definition for this type of sign. Referenced this definition under the *Sandwich Board* definition.

Commented [CH3]: Recommended edits consolidate best practices from other cities and grants code enforcement the leverage to remove abandoned temporary signs (i.e. signs that don't require permits like a garage sale or abandoned special event signs)

Commented [CH4]: This is a broader term drawing from the "building identification sign" listed on the comparison sheet and reference guide.

Commented [CH5]: This definition could be helpful when it comes to describing nonconforming situations and permissible instances of nonconformity.

Commented [CH6]: Gas stations are a use with unique signage needs to their use. It is valuable to separate fueling signs from a nominal "monument" or "pole" sign limitation we would want to apply to most other types of businesses.

"Blade/Bracket Sign" means a small pedestrian-oriented sign that project perpendicular from a structure (bracket sign) or horizontally beneath a structure (blade sign).

"Business entrance sign" means a wall or marquee sign mounted above or adjacent to the public entrance to a business, containing the name or logo of the business only.

"Business identification sign" means a sign that identifies the name or the logo of the business with the use of graphic or alphameric symbols that are readily identifiable as representing the business, including the business name, without any other advertising message.

"Canopy" means a freestanding structure affording protection from the elements to persons or property thereunder.

"Canopy sign" means any sign erected upon or, against ~~or directly above~~ a canopy.

"Center entrance sign" means a commercial or industrial center identification sign ~~located~~ identifying the vehicle entrance or pedestrian entrance to the center and the tenants within the center. Center entrance signs may be monument type or pole type, provided the sign meets the size and height allowances associated with the zoning district and does not obstruct traffic visibility at the entrance.

"Center identification sign" means a freestanding monument type sign identifying the name of a commercial or industrial center.

"Channel letter sign" means a sign made up of individual raised letters attached to a building, facade, or manufactured background. Either internally or externally lighted and either faced or unfaced (i.e., open letter style).

"Clearance of Sign" means the minimum vertical distance between the grade and the lowest point of a sign.

"Commercial center" means a parcel or parcels of at least two acres of commercial, business, or employment zoned property operating under single ownership or management group, and sharing common architecture, parking and landscaping. Also applies to contiguous properties that have been integrated through a binding site plan or conceptual site plan and related development agreements. means aA commercial center includes group of four or more individual tenants, on a single "integrated site," under one ownership or multiple ownerships, containing at least two acres, and zoned for commercial or industrial uses as defined in Chapter 18.10 NBMC.

"Commercial Sign" means a sign containing language related to the economic interests of the advertiser and its audience, a sign that proposes a commercial transaction, or a sign that brings awareness to a particular business.

"Community Facility Sign" means a sign identifying a community facility, quasi-public facility, or public amenity that is operated by a public agency or non-profit entity.

"Construction, Contractor, or "Coming Soon" Sign" means a temporary sign for informational purposes that identifies organizations, individuals, or firms that are involved in the active

Commented [CH7]: Do we want to allow signs above a canopy? This is not a common practice nor is it attractive.

Commented [CH8]: The entrance sign indicates the entry point as well as tenants

Commented [CH9]: The identification sign indicates the name of the center (i.e. mountain valley shopping center) rather than the tenants.

construction or development of land or are future enterprises of a building or structure under construction.

"Directional Sign" means a small sign not exceeding six square feet that provides messages to assist with wayfinding for both motorized and nonmotorized modes of transportation, with the intent of guiding the public to a specific place. Examples include entrance, exit, one-way circulation, service area, and drive-thru window.

"Double-Faced Sign" means a sign constructed to display an identical display and message on a back-to-back face.

"Drive-thru Sign" means a sign that display the available selection for ordering a good or service at a drive-thru window, such as a menu.

"External Illumination" means a sign that is illuminated by a light that is directed toward and shines on the face of a sign.

"Facade area" means the frontal plane of a building including the surface area bounded by the finished grade line, the cornice or roofline and the exterior side walls, excluding intermediate walls perpendicular to the frontal plane.

"Facade front" means the side of the building facing the street serving as the principal point of access or a center parking lot with an entrance open to the public, excluding the side of any building facing I-90 located on property adjoining I-90.

"Feather Sign" means a feather banner sign or flag made of fabric, plastic, or a similar material that is attached to a flexible or rigid pole on one side and is movable.

"Flag" means

"Follow Through Sign" means a sign placed in the City right-of-way by the Washington State Department of Transportation Motorist Information Sign Program and is designed to direct travelers to gas, food, lodging, camping, recreation, tourist activities, and 24-hour pharmacies.

"Franchise" is the right or license granted to an individual or group to market a company's goods or services in a particular territory.

"Freestanding Sign" means a pole, pylon, ground, or monument sign supported by the structure or supports that are placed on, or anchored in, the ground and are independent from a building or structure.

"Garage Sale Sign" means a residential temporary sign advertising the sale of personal property used to dispose of personal household possessions. Garage sale signs are inclusive of yard sale, moving sale, or patio sale signs.

"Government Sign" means a sign installed by the City, County, State, contracted fire/police municipal service agency, Federal government agency, or other governmental agency for the purpose of protecting the public health, safety, and general welfare. This includes emergency or warning signs, traffic, and directional signs that are erected and maintained by the City.

"Halo-lit sign" means a lighting technique that allows for a subtle radiance of light to appear behind the sign letters, giving a halo effect.

"Height of sign" ~~for a freestanding sign~~ means the vertical distance measured from the grade of the nearest street or native grade, whichever is greater, to the highest point of the sign or sign structure; for a wall sign "height of sign" means the vertical distance measured from the building finished grade line to the highest point of the sign or sign structure.

~~"Historic Sign" means a sign that is at least 40-years of age that has significant historic, cultural, aesthetic, or community value and must be located within of the Historic District and must have a Certificate of Appropriateness issued by the King County Landmarks and Heritage Commission.~~

Commented [CH10]: This reflects the historic district sign program as well as the definition associated in the program. In like kind to a "landmark sign". Signs outside the historic district can be considered a "historic sign".

"Home Business Sign" means a sign for a business that operates as a secondary use to a primarily residential property or use.

Commented [CH11]: Do we want a separate definition for any signs of this nature that are located *outside* of the historic district?

"Indirect Illuminated Sign" means a sign that is lit by a source not directly seen.

"Inflatable Sign" means a sign and/or structure that is constructed of canvas, rubber, or other light material capable of sustaining an inflated state for any period of time for the purpose to aid an establishment in promoting the sale or advertising of products, goods, services, events, or a building.

"Informational Sign" means a sign that provides incidental and necessary information for public safety or convenience, and that contains general information that has a purpose secondary to the use of the property which it is located. Examples include restrooms, delivery areas, smoking prohibited, EV charging, or other similar signs.

"Innovative design" means the use of non-standard colors, shapes, lettering styles, image, or a modified message that would be unique to the franchise business located in the city of North Bend.

~~"Integrated site" means a parcel or parcels of property under single ownership or management, and sharing common architecture, parking and landscaping. Also applies to contiguous properties that have been integrated through a binding site plan or conceptual site plan and related development agreements.~~

Commented [CH12]: Integrated to definition of "commercial center".

"Internally Illuminated Sign" means a sign whose light source is contained within the interior of the sign.

"Interpretive Marker/Sign" means a sign that identifies or explains specific events, sites, structures, features, objects, or natural processes and features.

"Kiosk" means a ~~small~~ structure having one or more open air faces operating either on private property or public property (including the right-of-way) intended for the purpose of guiding drivers, pedestrians, or cyclists to businesses, activities, or points of interest. ~~with one or more sides that is used to advertise a business or services.~~

"Marquee sign" means a sign painted on, attached to, or consisting of an interchangeable copy-reader on a permanent overhanging shelter or architectural projection on the front facade and above the entrance to a building.

"Memorial Sign" means a sign, tablet, or plaque less memorializing a person, event, structure, or site and include names and dates relevant to the subject.

"Monument sign" means a self-supporting sign not attached to any building, wall, fence, or other structure, but in a fixed location mounted to the ground in a solid appearing sign structure, and limited to 10 feet in height.

"Multiple-tenant building" means a single structure on a site housing more than one retail, office, residential, or commercial venture, but does not include residential apartment buildings, which share the same lot, access and/or parking facilities.

"Multiple-tenant site" means a ~~commercial~~ site containing two or more ~~businesses~~ uses on an ~~integrated site~~ property or commercial center.

"Mural" means a work of art applied to and made integral with a wall surface of a building that does not advertise goods or services currently available to the public.

"Neon Sign" means a sign with a light source supplied by a neon tube which is bent to form letters, symbols, or other shapes.

"Nonconforming sign" means a sign legally established or installed prior to the effective date of the current sign regulation that no longer meets the current version of the North Bend Municipal Code.

"Off-~~premises~~ Site Sign" means a sign that advertises a business, activity, product, or service not available on the premises on which the sign is displayed.

"On-Site Sign" means a sign that advertises a business, activity, product, or service available on the same premise on which the sign is displayed.

"Opaque color" means a color that reduces the light transmittance through the face of an internally lighted sign by at least 50 percent. Examples include, but are not limited to, muted colors such as green, blue, red, brown and black.

"Outdoor Vendor Sign" means a sign used for food trucks, fruit or vegetable or stands, tree or flower stands, pop-up uses, accessory vending stands, and similar activities.

"Panel Sign" means a sign constructed with flat graphics applied to a flat sign surface.

"Pole sign" means a sign that is mounted on the top half of a freestanding pole or other support so that the bottom edge of the sign face is at least 10 feet or more above grade.

"Political Sign" means a sign that exclusively and solely advertises a candidate, elective office, political party, or promotes a position on a public, social, or ballot issue.

"Primary Sign" means the primary sign that advertises a business, enterprise, public facility, commercial center, or building.

Commented [CH13]: Height will be regulated outside of definitions

Commented [CH14]: Amended to be inclusive of residential with ground floor commercial.

Commented [CH15]: See "public art"

Commented [CH16]: Does this definition serve us?

Commented [CH17]: Minimum heights should be described in design standards.

"Prohibited sign" means any sign that is not specifically allowed or permitted by this code.

"Projecting sign" means a sign, other than a wall sign, that is attached to and projects from a structure or building face. The sign must project at least 12-inches from the structure or building to be considered a projecting sign instead of a wall sign.

"Public Art" means any statue, painting, mural, culture, or other art form that is formally recognized by the City Council and does not include an advertising message or used for economic gain.

"Public entrance" means the entrance to the building that is located in the front facade and serves as the primary means of ingress and egress for customers or patrons. In the case of a business that is not enclosed in a building or is primarily oriented to outside display of merchandise, the public entrance shall be the pedestrian or vehicular means of ingress and egress for the outdoor sales area.

"Public Nuisance Sign" mean a sign that creates or establishes conditions for a public hazard, including but not limited to the following:

1. Signs with advertising copy which imitate official traffic signs, or signals, or use such words as "stop," "look," "danger," "caution," "warnings," or "go slow";
2. Signs that may confuse motorists or detract from any legal traffic control device as determined by the Director; or
3. Signs on or within medians, roundabouts, traffic circles, the clear view sight distance triangle of intersections, and any sign placed in such a manner that it obscures the vision of a motorist as determined by the Director.

Commented [CH18]: Consider any other signs or conditions we would consider to be a nuisance.

"Readerboard Sign" means a sign where the letters are readily replaceable such that the copy can be changed from time to time at will, or an electronically controlled version which a temporary message or graphic is displayed.

"Real Estate Sign" means a temporary on-site or off-site sign used to advertise a property for sale, lease, or rent. Real estate signs may be on-site or off-site and may be portable or affixed to the ground. Real estate signs may include directional signs, open house signs, residential unit estate signs, or other in-like-kind signs.

"Right-of-way" means all public streets, alleys and property granted, reserved for, or dedicated to public use for streets and alleys, together with all public property granted to, reserved for, or dedicated to public use including but not limited to walkways, sidewalks, trails, parking, shoulders, drainage facilities, bikeways, and horse trails, whether improved or unimproved, including the air rights, subsurface rights, and easements related thereto.

"Roof sign" means any sign erected upon, against or directly above a roof, or on top of or above the parapet of a building, including a sign affixed to any structure erected upon a roof, including a structure housing building equipment.

"Sandwich board sign" See definition of "A-frame Sign". means a portable two-faced, A-frame style sign that is readily moveable and has no permanent attachment to a building, structure, or the ground.

"Secondary Sign" means a smaller, supplementary sign advertising a business, enterprise, public facility, commercial center, or building. Any secondary sign shall be smaller than the primary sign, see the definition for "Primary Sign".

"Sign" means any material, structure, or device, or part thereof, composed of letter or pictorial matter, or on which letter or pictorial matter is placed when used or located outside of or on the exterior of any building, for display of an advertisement, announcement, notice, directional matter, or name; and includes sign frames, billboards, reader-boards, sign boards, painted wall signs, hanging signs, illuminated signs, banners, pennants, fluttering devices, projecting signs or ground signs; and also includes any announcement, notice, directional information, declaration, display, illustration, or insignia used to advertise or promote the interest of any person or business when the same is placed in view of the general public.

"Sign Face/Façade" means the area of a sign on which words and images are placed and includes all sides of a structure that may have the sign.

"Sign Structure" means any structure that supports any sign. A sign structure may be independent, such as a pole or monument sign, or may be affixed to a building or structure, such as a cabinet or blade/bracket sign.

"Site entrance sign" means a reduced size "center identification sign" located adjacent to the vehicle entrance to the center parking area. Site entrance signs may be monument style only, with limited size and height as set forth in Tables 18.20.060 and 18.20.060A.

"Stake/Wire Frame Sign" means a temporary sign posted in the ground by a stake or wire frame, or another similar supporting device.

"Temporary sign" means a sign permitted for erection or display for a limited period of time, either as specified on the permit, or within the code.

"Wall sign" means any sign attached to and supported by a wall of a building, or the wall of a structure, including a mansard roof, with the exposed face of the sign in a plane parallel to the plane of the wall. Any sign placed behind a window or visible within a building from the outside shall not be included in this definition.

"Wayfinding Sign" means a sign that uses techniques to assist drivers, pedestrians, or cyclists to find their way, using information provided along a travel pathway.

"Window sign" means any sign located on or affixed to the exterior of a window of a building, whether temporary or permanent, lighted or unlighted, which is intended for viewing from the exterior of the building. Window signs include any decals, emblems, paint, exposed neon, and banners that are affixed to a window with the obvious intent of capturing public interest and attracting customers.

MEMO

To: Planning Commission
From: Planning Division
Prepared By: Caitlin Hepworth
Re: Sign Code Prohibitions and Exemptions; Next Steps



Dear Planning Commission,

Included in your September 3, 2025 Agenda Packet are the proposed amendments to the Sign Code NBMC Chapter 18.20.030 regarding exemptions and Chapter 18.20.070 regarding prohibitions. This memo is intended to provide transparency on staff's process in sign definition development as well as upcoming next steps and elements to anticipate in the near future. The September 3rd meeting does not include a hearing and there is no Planning Commission action or decision requested at this time – this meeting is intended to gather initial feedback on proposed prohibitions and exemptions.

Amendments to Sign Prohibitions

In the proposed amendments, changes are proposed to expand prohibitions to address a greater diversity of sign types and conditions that do not reflect the aesthetic vision of North Bend or are unsafe, unsightly, or distracting. Amended or revised prohibitions were determined by reviewing the adopted prohibitions from adjacent municipalities and internal staff recommendations. There are no existing prohibitions that were removed. Amendments were additionally proposed to prohibit certain signage materials that are distracting, have poor durability outside and inclement weather, or create safety hazards.

- **Question to Commission:** Do you have any recommended edits to proposed prohibitions as of today's meeting?
- **Question to Commission:** Does commission feel strongly about prohibitions on the following sign types that may already exist within the city:
 - o Feather Signs – Staff could prohibit the sign or require specific placement standards (Figure 1).
 - o Flags – While flags are not generally considered to be signs, they could be in certain contexts. There are also businesses that use very large flags to attract attention or customers. Does a 60sf sizing limit feel fair (See Figure 2)?
 - o Pole Signs – Pole signs are prohibited, but the code still allows them in certain zones. Should we relocate this standard into the regulations themselves and simply state which zones it is permitted in or should we keep the language as-is in NBMC 18.20.070?
 - o Readerboards – Similar to *Pole Signs*, should this type be relocated into the regulations since they are allowed as a use-specific sign type (schools or movie/performance theater)?

September 3, 2025

- The original intent of the prohibition was for the plastic/vinyl ground mounted types of readerboards (See Figure 3) rather than marquee signs or digitized readerboards (which are a more common sign type for education institutions, See Figure 4).
- There are existing readerboards in town (i.e. McDonalds on SW Mt Si Boulevard, see Figure 5 below, or the North Bend Community Church, see Figure 6 below).

Amendments to Sign Exemptions

In the proposed amendments, changes are proposed to expand exemptions to the sign code to incorporate best practices of common exempt sign types not currently recognized in the code. Amended or revised exemptions were determined by reviewing the adopted exemptions from adjacent municipalities and internal staff recommendations. There are no existing exemptions that were removed.

- **Question to Commission:** Do you have any recommended edits to proposed exemptions as of today's meeting?

Business Survey

Included in this agenda packet is a copy of the draft business sign survey questions that staff will distribute to local businesses and organizations to solicit feedback on the use, navigation, and ease of the city's current sign code and sign permit process. The Business Survey was reviewed internally by staff as well as the Economic Development Commission on August 27th, 2025. Staff anticipate the survey to be open for a 3-week period.

Next Steps by Staff

By the next Planning Commission meeting on September 17, 2025, staff intend to complete the following tasks:

- Incorporate internal feedback on sign prohibition and exemption amendments.
- Summarize feedback from CED Committee on the proposed amendments to sign definitions, prohibitions, and exemptions at their September 16th, 2025 meeting.
- Work with Building Division staff on draft amendments to NBMC 18.20.015 Review Process and Fees, NBMC 18.20.090 Administration, and NBMC 18.20.100 Complete Application Requirements.
- Begin initial phases of research on sign area measurement, lighting standards, and residential standards.

Request for Commissioners at Next Meeting

At the next Planning Commission meeting, staff will be asking for continued open feedback/questions on proposed sign definitions, prohibitions, and exemptions.

Referenced Figures

Figure 1: Feather Signs



Figure 2: Oversized Flag along Interstate 5 North, near Burlington, WA that is 80 by 40 ft (the size of two pickleball courts)



Figure 3: Intended Readerboard Prohibition



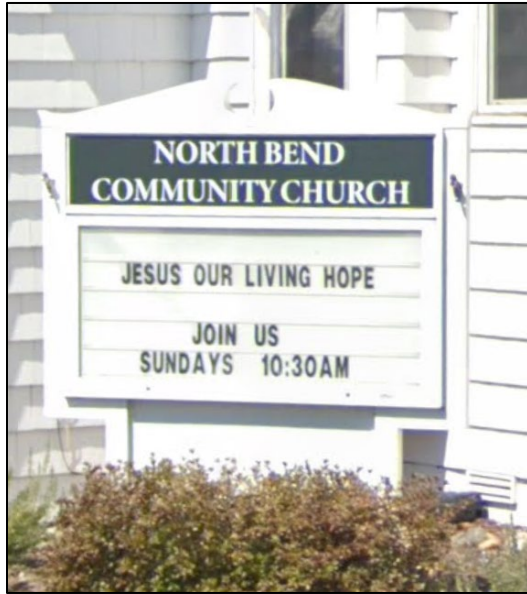
Figure 4: Digitized Readerboard at Issaquah High School



Figure 5: Existing Readerboard sign at McDonalds on SW Mt Si Blvd



Figure 6: Existing Readerboard sign at North Bend Community Church



Proposed Amendments to NBMC 18.20

NBMC 18.20.070 Prohibited Signs

A. The following signs are prohibited in all zoning designations:

1. Abandoned signs;
2. Billboards;
3. Blinking or flashing lights such as any sign illuminated by or containing blinking, flashing, intermittent, or moving light(s), except the time and temperature portion of a sign;
- ~~3-4. Cabinet Signs;~~
- ~~4-5. Changeable image signs, such as electronically controlled or computer generated images that change shape, size, color, etc.;~~
- ~~6. Commercial signs or messages attached to wireless communication facilities or construction cranes; Repealed by Ord. 1256;~~
7. Feather Signs;
8. ~~Flags~~ if either of the following is proposed;
 - i. ~~Flags not consistent with the Federal Flag Code; or~~
 - ii. ~~Flags exceeding 60 square feet, unless it is the American Flag.~~
- ~~5-9. Fuel Price Signs, Movable;~~
- ~~6-1. Illuminated signs that allow unshielded light upon a street, highway, sidewalk, adjoining property, the night sky, or other nuisance like conditions;~~
- 7-10. Interstate 90 ~~facing~~ signs including signs located on a building or property parallel and adjacent ~~so that they are visible~~ to the Interstate 90 right-of-way, including on-ramps and off-ramps, where the building elevation is considered secondary frontage or a secondary facade;
- ~~8-11. Inflatable objects used for commercial purposes, except with a maximum 10-day special events permit or as a holiday sign for a public display;~~
- ~~9. Laser lights and search lights, except with a maximum 10-day special events permit;~~
- ~~10. Monument signs exceeding 10 feet in height;~~
12. Natural features and street furniture: signs, balloons or devices affixed or painted on trees, rocks, other natural features, and street furniture including but not limited to benches, bus stops, waste receptacles, etc.;
13. ~~Obscene signs, including signs that bear or contain statements, words, or pictures which are obscene under the prevailing statutes or U.S. Supreme Court decisional law;~~
14. ~~Real estate signs that advertise properties not located within the City of North Bend.~~
- ~~11-15. Signs affixed to or painted on parked vehicles~~ Painted or affixed signs on parked vehicles, trailers, or carts used for commercial display. Off-premises signs in the right-of-way of Interstate 90 or SR-202 except those signs placed by the Washington State Department of Transportation (see

Commented [CH1]: This may change depending on feedback from legal. We may make this specific to commercialized flags only.

Commented [CH2]: This was relocated below under prohibited lighting.

Commented [CH3]: This portion of the sentence is vague. It does not describe instances in which an inflatable object can be used during a holiday without a permit.

Commented [CH4]: This was relocated below under prohibited lighting.

Commented [CH5]: This will continue to be prohibited, however regulated in the sign standards themselves rather than as a prohibition.

RCW [47.42.030](#), [47.42.040](#) and WAC [468-30-100](#)). Signs pertaining to or associated with any business that are attached, painted, or otherwise affixed to parked vehicles or trailers with or without wheels and that are visible from a public right-of-way unless one or more of the following exceptions applies:

- i. Normal business identification information painted on or otherwise affixed (magnet sign) to the side of a conventional vehicle; or
- ii. The vehicle/trailer is temporarily being loaded or unloaded for delivery purposes or conducting business-related or personal functions; or
- iii. The vehicle/trailer is on the business property site, and within 100 feet of the business's building not exceeding 24 consecutive hours; or
- iv. The vehicle/trailer is an authorized government vehicle; or
- v. The trailer or cart houses a business possessing a valid city business license; or
- vi. The vehicle is parked at the owner's place of residence;

[42-16.](#) Posters not associated with movies, plays, theaters or similar public performances scheduled or playing at the time of display;

[17.](#) Pole signs except in the IC and IMU zoning districts and NB zoning districts on major arterials where the speed limit is 50 miles per hour or above;

[43-18.](#) Public right-of-way signage with exceptions as identified in this chapter. Signs located within a railroad right-of-way or land that was previously a railroad right-of-way and is not used for public purposes are prohibited, except for government/agency signage.

[19.](#) Reader-boards, except for those allowed by code, such as movie theater signs and marquee signs;

[44-20.](#) Revolving signs or signs with movable parts, except barber poles and numerical signs indicating elements such as time, temperature, humidity, or precipitation.

[45-21.](#) Roof signs;

[22.](#) Signs affixed to fences, with exception to "Construction, Contractor, or "Coming Soon" signage;

[46-23.](#) Strings of pennants, ribbons, streamers, spinners, Mylar balloons, or other similar moving or fluttering devices of a carnival-like nature;

[47-24.](#) Traffic hazard or public nuisances created by signs, including:

- i. Signs with advertising copy that imitate official traffic signs, or signals or use such words as "stop," "look," "danger," "caution," "warnings" or "go slow";
- ii. Signs that may confuse motorists or detract from any legal traffic-control devices as determined by the city engineer; and
- iii. Any sign placed in such a manner that it obscures the vision of a motorist as determined by the city engineer;

[48-25.](#) Utility or public street feature: signs, balloons, or devices affixed to or painted on utility poles, street sign poles, traffic signal equipment and poles, garbage receptacles, benches, bridges, railings, fences, and bus shelters, except for bus route maps, bus route information, and directory of sponsors, if applicable;

[49-26.](#) Unpermitted signs not explicitly exempt from the code.

Commented [CH6]: Staff will need legal to review this current sign prohibition as it may be in violation of content-neutrality sign laws.

Commented [CH7]: If this sign type is allowed in certain areas, I think it should be removed from the prohibitions list and we simply state in the standards themselves that pole signs are only allowed in certain areas.

Commented [CH8]: Readerboards have largely become digitized. I have pulled separate definitions out for marquee signs, however I believe this original prohibition is for the plastic/vinyl ground mounted type of readerboards.

There are also existing readerboards in the city.

B. The following outdoor sign materials are prohibited:

1. Aluminium Composite Material (ACM)
2. Unsealed Wood
3. Foamcore
4. Reflective Materials
5. Other non-durable materials that are not suitable for climate and long-term outdoor placement.

C. The following methods of illumination are prohibited:

1. ~~1. Illuminated signs that allow unshielded light upon a street, highway, sidewalk, adjoining property, the night sky, or other nuisance-like conditions;~~
2. ~~Laser lights and search lights, except with a maximum 10-day special events permit;~~
- ~~2-3. Internally illuminated/backlit awning and canopy signs where light shines through the material.~~
- ~~3-4. Lighting that exceeds permitted lighting levels and allowances described in NBMC 18.40.~~

Proposed Amendments to NBMC 18.20

NBMC 18.20.030 Sign regulation exemptions.

A. The sign regulations in this chapter are superseded by unique regulations applicable to specific sub-areas of the city as listed below. Signs in these sub-areas shall comply with the specific regulations for the sub-area as listed below or subsequently amended.

1. A. The North Bend downtown historic district established July 27, 2000, by the King County landmarks and heritage commission (see Chapter 19.20 NBMC) is regulated by the North Bend historic commercial district sign design guidelines prepared by Makers Architecture and Urban Design in July 2002, and are herein adopted by reference.

2B. The factory stores at North Bend are regulated by the “North Bend Factory Stores Tenant Signage Criteria” as prepared by Chelsea Property Group, October 2, 2007, and in response to the provision of city of North Bend Ordinance No. 692, subsections 9 F and 9 G, and are herein adopted by reference.

3C. The Mountain Valley Shopping Center is regulated by the “Planned Sign Program for Mountain Valley Shopping Center March 7, 1996 Revision,” signage plan submitted pursuant to the master site plan application per city of North Bend Ordinance No. 953, subsection 7, and is herein adopted by reference.

4D. All signs placed at the city-owned recreation fields require the permission of the city and may, in the discretion of the Si View Parks community services director, be subject to conditions.

B. The following signs are additionally exempt from the requirements of this chapter:

1. Directional signs used to guide or direct pedestrian or vehicular traffic to parking entrances, exits, service areas, and business locations. Sign must be six square feet or less.
2. Flagpoles erected for the purpose of displaying a patriotic or corporate flag.
3. Government signs installed by a government agency for the purpose of protecting the public health, safety, or general welfare. This includes emergency or warning signs, traffic and directional signs, wayfinding signs maintained by the City of North Bend, informational signs, and any other sign placed for the protection of the public health, safety, or general welfare.
4. Memorial Signs less than four square feet in area.
5. Minor, non-electrical commercial signs. Small signs of a noncommercial nature without advertising intended primarily for the convenience of the public and having a maximum area of six square feet are exempt from the requirement of a sign permit. Included are signs designating restrooms, hours of operations, entrances and exits to buildings and parking lots, help wanted, public telephones, etc. Also included are property control and

warning signs such as “no trespassing,” “no dumping,” etc., and plaques, tablets, or inscriptions which are an integral part of a building or are attached flat to the face of a building, walkway, or street.

6. Minor, non-electrical residential signs. This includes address signs, on-site or off-site garage sale signs, real estate signs, wire/stake signs that are located on-site, or other similar residential sign. Resident name identification signs are exempt and are considered incidental signage; provided, that they do not exceed six square feet and are placed entirely on the resident’s property;
7. Parking Area Signs where parking is separated from the business served. One off-premises sign is permitted for identification. Signs shall not exceed six square feet in area and are exempt from the requirement of a sign permit if there is no commercial message;
8. Public Art that does not contain text or logos is generally not considered to be a sign and is not subject to the standards in this chapter, except when the art contains a logo, slogan, advertising message, company name, trademark, features or designs consistent with the associated use, or business contact information.
9. Signs required by local, State, or Federal Rule, regulation, or law.
10. Signs that are not visible by the public from any location designated or designed for public travel, use, or gathering. This includes signs that are placed internally for the intended visibility for people located inside the subject building. This does not include signs placed within three feet of a window facing a location designated or designed for public travel, use, or gathering.
11. Seasonal decorations.



August 27th, 2025

Mike McCarty
920 SE Cedar Falls Way
North Bend, WA 98045

Via email to planning@northbendwa.gov

RE: Amendments to North Bend Municipal Code to include a new subsection pertaining to the use of Underground Injection Control (UIC) Class V Wells within delineated wellhead protection zones.

Dear Mike McCarty,

On behalf of the Snoqualmie Indian Tribe (Tribe), please accept these comments on the new subsection to North Bend Municipal Code Title 14 section 14.16 to describe the appropriate use of UIC Class V Wells as a method of stormwater control on certain properties in the city. We ask that these comments be considered for the public hearing planned for September 3rd and for the SEPA threshold determination.

The Snoqualmie Tribe is a federally recognized sovereign Indian Tribe and a signatory to the Treaty of Point Elliott of 1855, in which it reserved to itself certain rights and privileges and ceded certain lands to the United States. As a signatory to the Treaty of Point Elliott, the Tribe specifically reserved to itself, among other things, the right to fish at usual and accustomed areas and the "privilege of hunting and gathering roots and berries on open and unclaimed lands" off-reservation throughout the modern-day state of Washington (Treaty of Point Elliott, art. V, 12 Stat. 928). The Tribe has lived on, tended, and managed this land since time immemorial and the rivers, lakes, and surrounding lands are vitally important both ecologically and culturally.

Ground infiltration of stormwater provides important services that can include filtering contaminants and mitigating flooding by reducing surface flows during storm events. This sort of infiltration, often achieved using underground injection control (UIC) Class V wells, is preferable to releasing potentially polluted stormwater into surface water that flows untreated into rivers and streams. This is due to the pollution's persistent negative effects on aquatic resources.

The Tribe's staff and contractors have extensive hydrogeological experience in stormwater treatment through infiltration and injection, and in particular UIC wells, and contest the



blanket statement that all stormwater infiltration and/or injection will pollute groundwater sources and negatively affect source water quality. These types of wells, when properly installed and operated, can be especially useful in cities like North Bend, where the underlying soil types have been empirically demonstrated to provide pollutant filtering and adsorption.

We encourage the City of North Bend not to pass the code to ban Class V UIC wells, and to continue to allow for the use of regulated wells, even in wellhead protection areas. The banning of these types of wells, especially in the absence of requiring other enhanced stormwater treatment, will result in a net increase in surface water pollution to the Snoqualmie River, exporting the impacts of the pollution produced in North Bend to farms and cities downstream along the river corridor and into Puget Sound, negatively impacting the health of the people, plants, and animals that live there.

Thank you for your consideration.

Sincerely,

DocuSigned by:

A handwritten signature in black ink, appearing to read "Matt Baerwalde", is written over a blue DocuSign signature line.

166598E8B57F4FD
Matt Baerwalde

Senior Environmental Policy Analyst, Government Affairs & Special Projects