

ORDINANCE 1841

AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, AMENDING NORTH BEND MUNICIPAL CODE SUBSECTION 18.38.020 RELATING TO NOTICE ON TITLE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of North Bend Comprehensive Land Use Plan and development regulations, including the zoning code, are subject to continuing review and evaluation under RCW 36.70A.130(4)(a); and

WHEREAS, as provided in the 2024 Amendments to the City of North Bend Comprehensive Plan, the Designated Agricultural Lands Map of the Comprehensive Plan was relocated from a previous Natural Resources Element (Chapter 7) to the current Land Use Element (Chapter 1) of the Comprehensive Plan; and

WHEREAS, subject to the relocation of this map within the Comprehensive Plan, an amendment to the Notice on Title regulations in NBMC 18.38.020 is necessary to correct a reference as to the location of the map; and

WHEREAS, the proposed amendments were submitted to the Washington State Department of Commerce for review on July 23, 2025 (submittal 2025-S-9669); and

WHEREAS, a State Environmental Policy Act (“SEPA”) Determination of Non-Significance was issued for the proposed amendments on July 25, 2025; and

WHEREAS, the North Bend Planning Commission held a public hearing on August 6, 2025, to receive testimony on the proposed amendments, receiving and considering two written comments submitted; and

WHEREAS, the Planning Commission, by motion on August 6, 2025, recommended approval of the proposed amendments as detailed in its findings, conclusions, and recommendations; and

WHEREAS, the North Bend City Council finds that the public interest and welfare are furthered by adoption of the proposed amendments;

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

Section 1. NBMC 18.38.020 (Contents of Required Notice), Amended: North Bend Municipal Code Section 18.38.020 (Contents of required notice) is amended as follows:

18.38.020 Contents of required notice.

A. A notice shall be placed on the title of property adjacent to property showing the presence of designated agricultural land as identified on the North Bend Comprehensive Plan Land Use Element Figure 1-5~~Map 7-1~~ (North Bend UGA Designated Agricultural Land Map) or forestry activities, as required by city of North Bend Municipal Code, as a condition of development or building permit approval. The notice shall be entitled “Agricultural or Forest Land Notice” and shall contain the following language:

This property is adjacent to agricultural or forest lands as defined by Chapter 18.06 NBMC. The provision of the agricultural and forest lands ordinance applies to this property. Limitations may exist on actions in or affecting the agricultural and/or forest lands adjacent to this property. For further information regarding such limitations, please contact the city of North Bend. This notice shall run with the land and shall not be removed except upon specific written authorization recorded by King County. Any subsequent subdivision, lot line adjustment, or other division of this property may affect the presence of agricultural and forest lands and their buffers on individual lots.

B. On the face of the notice shall be included the parcel number and street address of the property to which the notice applies.

C. The owner of the property to which the notice applies shall certify in a signed and notarized statement that the person is an owner of the property. This certification shall be included on the face of the notice.

Section 2. Severability: Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

Section 3. Effective Date: This ordinance shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 21ST DAY OF OCTOBER, 2025.

CITY OF NORTH BEND:

APPROVED AS TO FORM:

Mary Miller, Mayor

Kendra Rosenberg, City Attorney

ATTEST/AUTHENTICATED:

Published: October 31, 2025
Effective: November 5, 2025

Susie Oppedal, City Clerk