



City Council Workstudy

July 28, 2026 – Agenda

City Hall, 920 SE Cedar Falls Way, North Bend, Washington

7:00 P.M., Call to Order and Roll Call

Discussion Items:

- | | | | |
|----|----------------------------------|-----------------------|---------|
| 1) | Parks & Recreation Service Area | Ms. Leen | 15 min. |
| 2) | NBDF Activation & Revitalization | Mr. Henderson | 45 min. |
| 3) | Rezone Request | Mr. McCarty & Mr. Yee | 20 min. |
| 4) | Single Family Non-Conforming Use | Mr. McCarty | 20 min. |

Adjournment:

***Please Note:** Members of the public may choose to attend the meeting in person or by teleconference. Those wishing to attend by teleconference may view this meeting online using Microsoft Teams. However, in keeping with past Workstudy practices, the public will not be allowed to provide public comment.

Microsoft Teams Meeting Information:

<https://teams.microsoft.com/>

Meeting ID: 232 990 561 537 196

Passcode: x5Ed9BD2

Call In Phone Number: 1-332-249-0712

Phone Conference ID: 684 685 179#

If you would like a copy of the 7/28/2026 Council Workstudy packet please email the City Clerk by no later than 5 p.m. on the day of the meeting at clerks@northbendwa.gov OR visit the following link: <https://northbendwa.portal.civicclerk.com/>.

MEMO

To: City Council
Date: for July 28, 2026 Council Workstudy Meeting
From: Mike McCarty, Planning Manager



Re: Jeffery Yee Property Rezone Request

Dear Council,

At the May 19, 2026 CED Committee meeting, the Committee heard a request by Jeff Yee concerning rezoning his property from Low Density Residential to High Density Residential due to land constraints (critical areas and topography) that he asserts limit his ability to develop his property under single-family zoning in a financially viable manner. The materials that Mr. Yee submitted for review by the CED Committee at their May 19 meeting are attached.

At that meeting, the CED Committee requested that this item be brought forward for full Council discussion at an upcoming workstudy meeting.

Should Council wish to consider a rezone of the property, this zoning map amendment would be added to the work program for 2027, which would then be subject to the public process inclusive of review and recommendation of the Planning Commission following a public hearing on the proposed amendments.

Staff have requested that Mr. Yee formally submit his request as a docket for consideration with the 2027 Docket Process, but we are also bringing this issue for your discussion at the July 28 Workstudy meeting consistent with the CED Committee's direction, and look forward to your discussion and direction to staff.

**Yee Capital Partners, LLC
12117 SE 261st Ct
Kent, WA 98030**

May 7, 2026

City of North Bend
Community and Economic Development Committee
920 SE Cedar Falls Way
North Bend, WA 98045

Re: Parcel Number 052308-9016

Request For Up-Zoning From LDR to HDR To Allow For Attached Residential Dwelling Units

Dear CED Committee Members:

As you may know, I have owned above-referenced 24.35 acre property located on NW 8th Street/SE 112th Street since early 2018 and, with a goal towards property development and economic growth within the Meadowbrook District, I have since supported the Meadowbrook District ULID (approved) and the proposed NW 8th Street/Box Culvert ULID (not approved). Failure of the latter in particular creates an adverse impact to the economic feasibility of developing my property. The previously unanticipated off-site land development costs and increased financial burden thereof include among others: (1) construction of a box culvert or bridge on NW 8th Street/SE 112th Street over Gardiner Creek, (2) construction of a booster station for water supply to residential units located at the upper portion of my property and, (3) roadway improvements along SE 106th Place (Alm Way) per discussions with King County planners and civil engineers mid last year. That section of roadway is under the jurisdiction of King County.

The above-mentioned off-site costs are in addition to the previously known challenges and substantial costs thereof of conducting on-site improvements as required to develop my property. Those land development challenges have long been made known to certain CED, North Bend Planning, and Public Works Department officials, among others. As with any proposed residential development project, a minimum number of available residential units is required to absorb the total land development costs (per unit land cost) in order to achieve economic feasibility.

Accordingly, I am respectfully requesting an up-zone of my property from Low Density Residential (LDR) zoning, which code does not allow for attached residential units, to High Density Residential (HDR) zoning which code does allow for attached residential units in order to cover the substantial on and off site land (horizontal) development improvements. Due to the diminished amount of buildable land area, then allowing for attached units is the only option possible to generate a sufficient number of residential units to lower the land development cost per unit and therefore make my proposed residential project economically viable.

The current LDR zoning allows for four residential units per acre for a total of 96 units if all 24.35 acres could be developed. My civil engineers (Barghausen/Core States Engineers) have determined that only about a third of that total acreage is buildable land area, so development of more than the currently allowed 96 units is not possible. We are estimating that around 70 to perhaps 76 attached units could be developed and possibly a few more if additional buildable area can be obtained by similarly expensive excavation of the sloped terrain. In consideration for the requested upzone, I would gladly enter into a stipulation that no more than currently allowed 96 maximum of residential units would be developed on my property unless; the City were to mutually agree otherwise such as moving forward with a build to rent (BTR) development project. A BTR project would typically comprise smaller unit sizes and target the affordable housing market. However, absent low land costs, BTR projects nevertheless typically require more buildable units as a tradeoff for economic viability to the developer.

Thank you in advance for your consideration of this matter.

Regards,

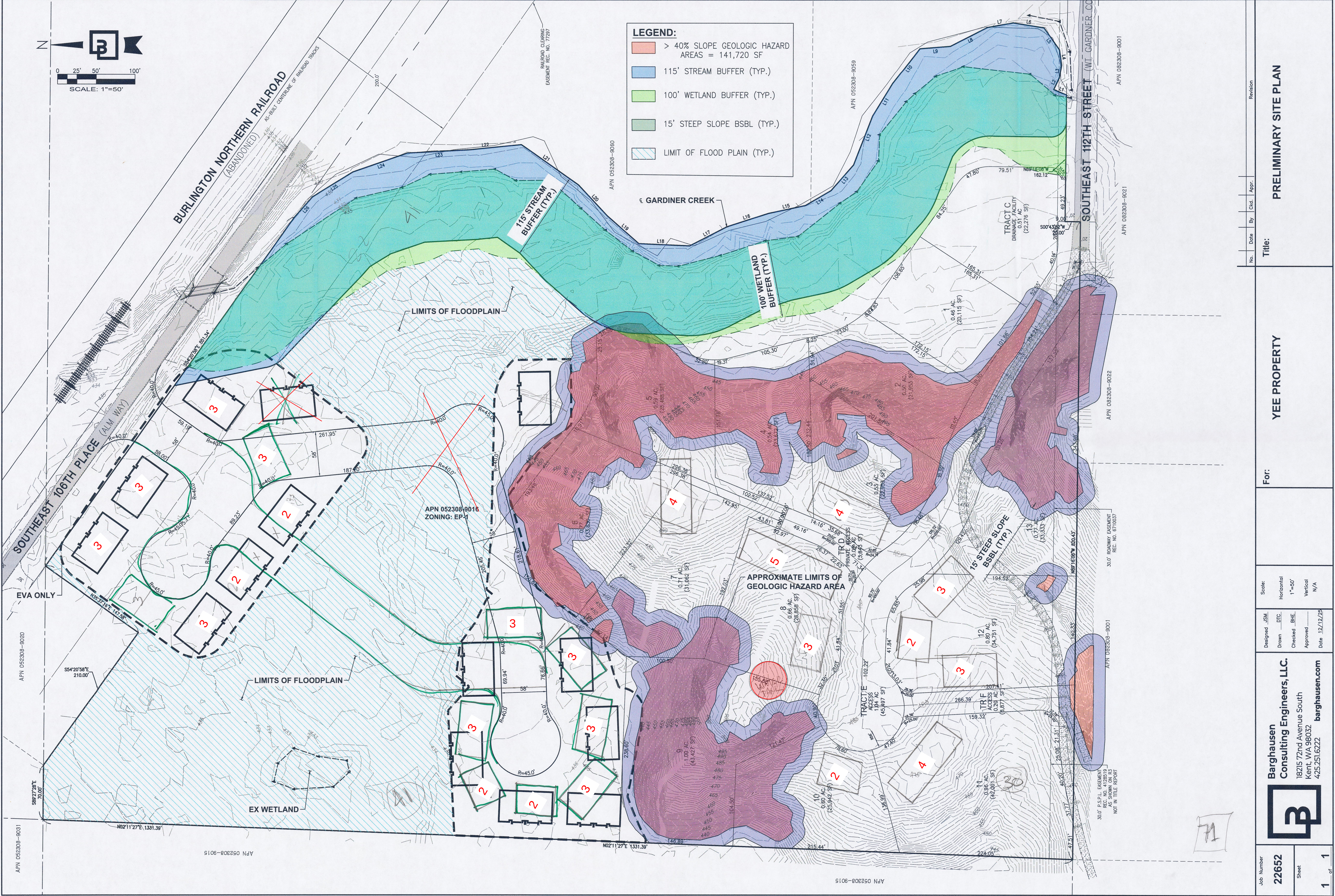


Jeffrey Yee
Managing Partner

Attachments

King County

Map showing land parcels in King County, Washington. The highlighted parcel is 9016, located near the intersection of SE 106th Pl and NW 8th St. The map includes labels for 'Tollgate Farm', 'SE 106th Pl', '9049m Way', 'W North Bend Way', and 'NW 8th St'. The map is titled 'King County' at the top.



LEGEND:

- > 40% SLOPE GEOLOGIC HAZARD AREAS = 141,720 SF
- 115' STREAM BUFFER (TYP.)
- 100' WETLAND BUFFER (TYP.)
- 15' STEEP SLOPE BSBL (TYP.)
- LIMIT OF FLOOD PLAIN (TYP.)

Job Number 22652	Barghausen Consulting Engineers, LLC. 18215 72nd Avenue South Kent, WA 98032 425.251.6222 barghausen.com					Designed <u>JSM</u> Drawn <u>DTC</u> Checked <u>BHE</u> Approved _____ Date 12/12/25		Scale: Horizontal 1"=50' Vertical N/A	For:	YEE PROPERTY	Title: PRELIMINARY SITE PLAN	Revision			
						No.	Date					By	Ckd.	Appr.	
Sheet 1 of 1															

MEMO



To: City Council
Date: for July 28, 2026 Council Workstudy Meeting
From: Mike McCarty, Planning Manager

Re: Single-family residential Nonconforming Use Additions

Dear Council,

Under the City's zoning regulations, single-family residential homes are not a permitted use in the City's commercial, mixed-use, and industrial zones, including the DC, NMU, IC, IMU, NB, BP, and EP Zones.

There are many existing single-family homes that are located within these zones (and especially within the DC Zone), which were built before this zoning took effect. These homes are therefore considered legal non-conforming uses. Alterations to nonconforming uses are subject to the City's nonconforming use regulations in [NBMC 18.30](#).

NBMC 18.30 currently limits the addition or enlargement of a nonconforming building/structure to no more than 20% of the gross floor area of the existing structure ([NBMC 18.30.050\(A\)\(1\)](#)). The intent of the nonconforming use regulations is to promote conversion of uses within zones over time into uses allowed by the zone, and therefore limitations on expansion are provided toward that objective.

This limitation, however, may be especially taxing for existing single family homes. Single-family homes are typically the most valuable asset and investment of residents within the community, and often have some space on the property (unlike condos) to accommodate expansion. Families may wish to enlarge their homes to address changing life circumstances, such as the need for another bedroom to support a new child or aging parent moving in. Particularly with small homes (as are common in the DC Zone), a 20% limitation may be quite restricting, and may limit residents from pursuing their desired plans and thereby remaining within their community.

Recently, the city received a building permit application for an existing single-family home in the DC zone requesting to increase their home size by approximately 50%, which was not possible under the current regulations. The applicant has requested consideration of amending the nonconforming use code (NBMC 18.30) to allow greater flexibility for existing single-family homes to allow for additions and expansions. As staff have addressed similar inquiries on multiple occasions in the past, we wish to bring the issue forward for consideration.

Findings from Comparison Study

Associate Planner Caitlin Hepworth researched comparative communities to determine how they address the enlargement of existing nonconforming single family homes. (See chart at end of this memo). Out of ten communities compared, staff found that there was diversity in how each city applies limitations to expanding nonconforming uses. There are communities that are more flexible and less flexible than North Bend. Only one community (Issaquah) had a special carve out of the nonconforming use code specific to single family homes. Staff also observed that all regulations in the nonconforming use code were city-wide regulations and not specific to a particular zone.

Possible Amendment

The City could amend NBMC 18.30.050(A)(1) to carve out an allowance for expansion of non-conforming single-family homes that would apply city-wide, allowing an increase of up to 50% of the gross floor area (rather than 20% for all other uses), given that a property is able to meet all other applicable sections of the code.

CED Committee Considerations

CED Staff brought this topic before the CED Council Committee on May 19, and the Committee requested that it be brought forward for full Council discussion at a Workstudy meeting. Committee members discussed a concern about the potential for impacts of expansions that may be out of scale to the surrounding neighborhood, particularly with the context of the small homes within the DC zone that could be overshadowed by large “mcmansion” expansions.

A provision specific to the DC zone could be applied in addition to the 50% increase allowance, to limit existing single-family homes within the DC zone to no more than 2,800 square feet in size total, as expanded.

Council Direction Sought

Staff are seeking Council discussion and direction as to whether you:

1. Support amendments to the nonconforming uses specific to single family homes to allow for a 50% rather than 20% expansion allowance.
2. Support a maximum size cap within the DC zone of 2,800 square feet (or other size as appropriate) in addition to the 50% expansion allowance.

If Council supports pursuing code amendments, staff would bring such amendments through the public process, inclusive of Planning Commission review and deliberation following a public hearing.

Nonconforming Use Addition/Expansion Comparison Chart

Jurisdiction	Maximum Size (sf)	Other Sizing Factors
<i>North Bend</i>	20% of existing structure's GFA (NBMC 18.30.050(A)(1)).	Only a one-time addition is allowed.
<i>Issaquah</i>	No specific limit for SFRs (IMC 18.214.100). Must be vertical expansion (IMC 18.214.070(C)(4)(b)(2))	Must decrease the level of nonconformity. Expansion must occur outside of critical area buffers.
<i>Bellevue</i>	50% of the existing structure's GFA (BMC 20.25A.040(B)(3))	Expansions greater than 50% GFA require the overall structure to be brought into conformance with the code.
<i>Redmond</i>	No limit if project does not increase the nonconformity (RMZ 21.04.5000(I)(1-2)).	Expansion must occur outside of critical area buffers. Expansions that increase the GFA by 100% or exceed the value of the existing structure require the overall structure to be brought into conformance with the code.
<i>Renton</i>	Not subject to the nonconforming use code but subject to bulk and dimensional standards (RMZ 4.10.060(D)).	None
<i>Covington</i>	No limit but subject to staff review with all other applicable codes (CMC 18.85.090)	
<i>Kent</i>	Only permitted with a Conditional Use Permit (NBMC 15.08.100(C)(2))	
<i>Kirkland</i>	10% of GFA (KMC 162.35(3))	Subject to staff review through a permit.
<i>Woodinville</i>	No expansions allowed (WMC 21.14.040(2))	
<i>Tukwila</i>	No expansions allowed (TMC 18.70.040(1))	
<i>Bonney Lake</i>	No expansions allowed, only structural alternations needed to comply with the law (BLMC 18.54.080)	