



CITY OF BLAINE
COMMUNITY DEVELOPMENT SERVICES DEPARTMENT

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Agenda Item Summary

Zoning Text Amendments

Meeting Date: March 11, 2021
Staff Contact: Stacy Clauson

Agenda Item Number: 6

SUMMARY:

Community Development Services (CDS) is providing this memo in advance of the March 11th Planning Commission meeting. CDS is planning to introduce two Zoning Text Amendments, including providing an overview of the amendment, tentative schedule for review, and criteria for Planning Commission to evaluate the proposal. Staff is seeking Planning Commission feedback on items it would like to address as part of their more detailed review on the proposal, which will occur at a future Planning Commission date.

BACKGROUND

The Community Development Services Department (CDS or “the Department”) has prepared a legislative work program of proposed amendments to the Zoning Code. Blaine Municipal Code (BMC) Chapter 17.04 establishes the process for amendments to the Zoning Code. Unlike Comprehensive Plan and Land Use Map amendment changes, these items can be considered at any time during the year and may be initiated by the following mechanisms:

- Community Development Services Director placement of the proposed amendment(s) on the Planning Commission agenda;
- Planning Commission initiation of amendment by majority vote;
- City Council approval of a Resolution; and
- A citizen-initiated amendment, with submittal of an application and fees.

Through these different mechanisms, CDS has compiled a list of 8 different proposed Zoning Text Amendments, identified in Table 1 below. City Council authorized work on these Zoning Text Amendments under Resolution 1843-21. The **bold** and shaded items below indicate two items that CDS would like to introduce to the Planning Commission at the March 11th meeting.

Table 1: 2021 Zoning Text Amendments (authorized by City Council under Resolution 1843-21)

Item	Applicant	General Description of Amendment	Notes	Schedule
1	City	Periodic update of development regulations for critical areas	State mandated periodic update pursuant to RCW 36.70A.130.	2021 Q1 – 2021 Q4

2	Citizen-Initiated	Revise Manufacturing Subzone B zone to permit live-work units as an accessory use.		2021 Q1 – 2021 Q2
3	City	Revise Highway Commercial, Subzone C zoning district standards.		2021 Q1 – 2021 Q2
4	City	Amend Central Business District standards to eliminate a Conditional Use Permit process for use of public plazas.		2021 Q3 – 2021 Q4
5	City	Amend Title 17 to identify the Hearing Examiner as the appropriate review authority for quasi-judicial land use decisions.	Required to comply with RCW 35A.63.110 (Code cities).	2021 Q2 – 2021 Q3
6	City	Update Sign Code contained in Chapter 17.122 BMC.	Required to respond to the Supreme Court judicial review findings	2021 Q3 – 2021 Q4
7	City	Amend Wireless Facility Regulations contained in BMC 17.106.030.		2021 Q3 – 2021 Q4
8	City	Amend Binding Site Plan provisions contained in Chapter 17.64 BMC	Required to bring the current provisions into consistency with RCW 58.17.035.	2021 Q4 – 2022 Q1

SUMMARY OF PROPOSED TEXT AMENDMENTS

Item 2: Revise Manufacturing Subzone B zone to permit live-work units as an accessory use to warehousing uses.

This proposed text amendment has been submitted by Pioneer Post Frame. The application materials are available for review at this [project website](#). The applicant’s justification statement indicated that the change is being proposed for 3 main reasons:

1. Combining commercial with residential encourages more efficient building, leading to less sprawl;
2. Combining the uses also allows for reduced transportation, improving quality of life and the environment; and
3. The live-work concept fosters innovation and is beneficial for incubating new businesses and ideas.

The purpose of the Manufacturing Zone notes that the zone is intended primarily for manufacturing and closely related uses. There are 3 subzones, and this proposal would apply to Subzone B. Subzone B is located on the southern area of the City, generally between H Street on the north , and extending all of the way to the southern border south of Dakota Creek. The zone straddles the west and east sides of I-5 and contains several

vacant and developed industrial uses. The zone currently permits a broad range of uses, including industrial, research and development centers, warehousing, processing and shipping terminal uses. Permitted accessory uses include cafeterias, overnight accommodations, restaurants, offices which are not part of a business park, and caretaker or security residences.

This proposal would expand on the list of permitted accessory uses to include live-work units. Live-work units are currently permitted in the Central Business District (Market, Town Portal and Garden subdistricts) and is a Conditional use in the Water view subdistrict. While not specifically defined in the Blaine Municipal Code, live-work units are designed so that workplaces are combined with living space. This allows a property owner, a business employee, or a business owner to occupy a residential unit as an accessory use to the business for purposes of living and working on the same site, within the same structure.

The City of Ferndale's Zoning Code provides allowances for live-work spaces. Specifically, live/work units are permitted in the General Business Zone through the review of a Planned Unit Development. Ferndale Municipal Code Sections 18.69.220 through 245 provide a copy of these provisions (see Attachment 1).

Item 3: Revise Highway Commercial, Subzone C zoning district standards.

This proposed text amendment has been submitted by Alex Wenger, the City of Blaine's Economic Development and Tourism Coordinator. The application materials are available for review at this [project website](#). The applicant's justification statement indicated that the change is being proposed spur economic development and bring the HCc development standards into conformity with current development practices. The proposed amendment is intended to bring the District up-to-date with current development practices and allow for enhanced development opportunities that will better support the Central Business District and improve the character of the Highway Commercial District. Please note that this effort is a continuation of the 207-2018 effort that received support from the Planning Commission and local business owners to update the HCc zoning regulations.

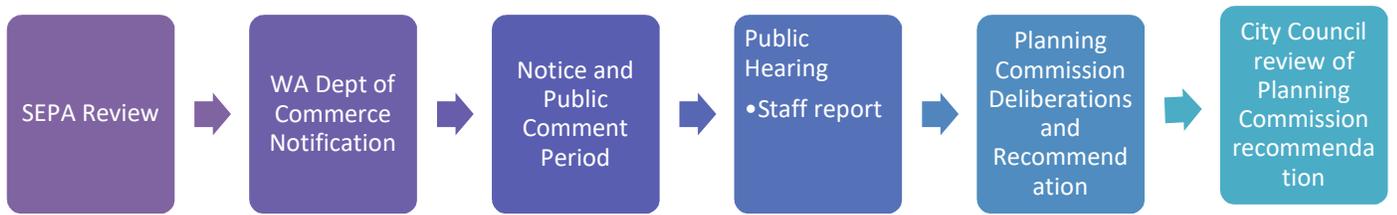
The purpose statement of the Highway Commercial notes that the zone is intended to provide for establishments offering accommodations or services to motorists, and to provide for non-pedestrian-oriented retail, wholesale, service and repair activities which do not contribute to the creation of unattractive, congested and unsafe highway conditions.. There are 4 subzones, and this proposal would apply to Subzone C.

Subzone C is located just north and east of the Central Business District and is and is generally bound by C Street on the north side, F Street on the south side, 4th Street on the east side and Semiahmoo Bay on the west side. Subzone C's purpose is to provide for businesses and services that support the Central Business District. This district is intended to service highway motorists, the auto-oriented demand from the central business (CB) district and adjacent residential neighbors, including those in this district. While not a part of the CB district, its character and function should be complementary to the CB district with little impact on the low-density neighbors to the south and east.

Amendments include revisions to permitted and conditional uses, setbacks, building height, parking, access, and landscape standards.

PROCESS

BMC 17.04 outlines the process for zoning text amendments as follows:



Public Comment: The proposal will receive at least one public hearing and written comment period before the Planning Commission, consistent with the process for zoning text amendments outlined in BMC 17.04.

In making a recommendation on the proposed text amendment, the Planning Commission should consider:

- a. The amendment’s relationship to the goals, objectives and policies of the Blaine comprehensive plan;
- b. The environmental implications as identified by the city SEPA official, if any; and
- c. Any other special provision as set forth in BMC 17.04.080.

SCHEDULE

Table 1 provides an estimated timeline for review of these proposals. Tentatively, a public hearing is scheduled for April 22, 2021.

ACTIVITY	MARCH	APRIL	MAY	JUNE
Planning Commission Study Session (S)	03/11/2021 (S)			
Commerce Review	03/11/2021 to 05/01/2021			
SEPA Issuance and Appeal	03/01/2021 to 04/01/2021			
Publish Notice of Availability and Planning Commission Public Hearing	Send to newspaper on 4/7/2021: publish on 4/9/2021.			
Transmit Staff Report and Attachments to the Planning Commission		4/15/2021		
Planning Commission Public Hearing (PH)		4/22/2021 (PH)		
Planning Commission Deliberation ¹			05/13/2021	
City Council Study			05/24/2021	

¹ If needed.

Session (S)			(S)	
Transmit RFCA; Draft ORD; and Amendments to the City Council				06/14/2021
City Council Deliberations and Potential Adoption				06/14/2021
Send Notice of Adoption to Commerce				06/14/2021