



CITY OF BLAINE

COMMUNITY DEVELOPMENT SERVICES

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Agenda Item Summary

Zoning Text Amendments: Permit Process Amendments (Permit #2021084)

Meeting Date: October 28, 2021
Staff Contact: Stacy Clauson

Agenda Item Number: 7

ISSUE STATEMENT

Blaine Municipal Code (BMC) Chapter 17.04 establishes the process for amendments to the Zoning Code, which includes a public hearing before the Planning Commission, who recommends action on the amendment request to City Council. The City Council is the decision-maker for text amendments.

Community Development Services is requesting review and recommendation of the proposed Text Amendments, which contain three different amendment groups addressing permit processes contained in Title 17 of the Blaine Municipal Code as follows:

1. Designate the Hearing Examiner to hear Appeals, Variances, Conditional Use Permits, and other Quasi-Judicial matters;
2. Amend Central Business District standards to eliminate a Conditional Use Permit process for use of public plazas; and
3. Revise BMC 17.02 (General Provisions), BMC 17.06 (Project Review and Approval Procedures) and 17.07 (Site Plan Review) to clarify permit processes.

BACKGROUND

City Council authorized work on these Zoning Text Amendments under Resolution 1843-21. A public hearing on the proposed amendments was held at the September 23, 2021 meeting, at which time staff presented analysis of the amendment's consistency with the approval criteria contained in BMC 17.04.050.B.4 (Exhibit 1, Staff Report). At the hearing, no additional comments beyond those contained in the staff report were provided, the public hearing was closed, and the Planning Commission began deliberation of the three items.

The Planning Commission voted to approve Amendment #2 noted above. For both Amendment #1 and 3, the Planning Commission voted to postpone deliberation to a later date to allow staff and the Planning Commission's attorney time to prepare additional information for the Planning Commission to consider in its deliberation. Specifically, the Planning Commission requested information on what the legal or financial repercussions would be if the City did not adopt the proposed amendments identified in Amendment #1. Since decisions in Amendment #1 impact some of the changes in Amendment #3 (specifically the proposed amendment to BMC 17.06.180.B, which addresses the appeal body for quasi-

judicial decisions), this item was also deferred until items in Amendment #1 were resolved.

At the October 28, 2021 meeting, Jon Sitkin and Peter Ruffatto, legal counsel for the City and Planning Commission, will be in attendance to provide additional information, as requested by the Planning Commission.

PLANNING COMMISSION OPTIONS

Make a recommendation as to whether the amendments should be:

1. Approved;
2. Approved with modifications; or
3. Denied.

SUGGESTED MOTION

Amendment #1

"I make a motion to recommend:

- Option 1. Approval of the Permit Process Zoning Text Amendments to Title 17 of the Blaine Municipal Code to designate the Hearing Examiner to hear Appeals, Variances, Conditional Use Permits, and other Quasi-Judicial matters as presented in Attachment 2 of the staff report; **OR**
- Option 2. Approval of the Permit Process Zoning Text Amendments to Title 17 of the Blaine Municipal Code addressing permit processing of quasi-judicial matters as amended by the Planning Commission; **OR**
- Option 3. Denial of the Permit Process Zoning Text Amendments to Title 17 of the Blaine Municipal Code addressing quasi-judicial matters."

Amendment #3

"I make a motion to recommend:

- Option 1. Approval of the Zoning Text Amendments to revise BMC 17.02 (General Provisions), BMC 17.06 (Project Review and Approval Procedures) and 17.07 (Site Plan Review) to clarify permit processes.as contained in Attachment 2 of the staff report; **OR**
- Option 2. Approval of the Zoning Text Amendments to revise BMC 17.02 (General Provisions), BMC 17.06 (Project Review and Approval Procedures) and 17.07 (Site Plan Review) to clarify permit processes. as amended by the Planning Commission; **OR**
- Option 3. Denial of the Zoning Text Amendments to revise BMC 17.02 (General Provisions), BMC 17.06 (Project Review and Approval Procedures) and 17.07 (Site Plan Review) to clarify permit processes.as contained in Attachment 2."