

**CITY OF BLAINE
REQUEST FOR COUNCIL ACTION
MEETING DATE:**

SUBJECT: Conditional Use in Central Business District Amendment to Code

SUBMITTING DEPT: City Manager/Community Development

PREPARED BY: Gary Tomsic

AGENDA LOCATION: Comments/Communications ☐, Consent ☐, Committee Reports ☐, Unfinished Business ☐, New Business ☒, Public Hearing ☐, Standing Committees ☐

ATTACHMENTS: Copy of proposed amendment

SUMMARY/BACKGROUND: On January 4, 2006 many of the property/business owners along Portal Way attended a meeting at the International Café to discuss future development in the central business district. The discussion focused on building heights, locations, view corridors, public amenities etc. and how the property owners might work together more effectively. With so many property owners, the options are complex but, the issues are real and need to be addressed.

This meeting was the latest of several that have occurred regarding the challenges of developing in the CDB of Blaine. For months we have been meeting with serious developers who are confronting serious engineering and cost issues with construction on the west side of Portal Way. Our own boardwalk project has encountered similar design and cost issues because of poor soil conditions and increases in steel and other material costs.

The bottom line is that it is difficult, if not impossible, for investors to pencil projects particularly on the west side of Portal under the current regulations which govern building height, design, parking etc. We are finding that it is very difficult to develop regulations that fit the individual property owner and site needs in the downtown. The challenge is to develop a regulations and a review process that has built-in flexibility in order to accommodate special needs while assuring that the community's vision for the downtown is preserved and enhanced.

One way to address this issue is to amend the City's code so that developments in the CBD-Market District that do not comply with the City's design regulations can be reviewed as conditional uses. This allows the City and the Developer the opportunity to jointly find solutions that benefit both the developer and the City. The conditions are developed and approved on a project by project basis. If a land developer in the CBD does not want to go through the conditional use process, then they are allowed to build as long as they meet the existing regulations. This way, property owners have a defined development parameters that guarantees them use of their property. If they want to go beyond those, then they must use the conditional use process.

While a conditional use process adds flexibility in design, it may also add time to the review process because you do not have a clearly prescribed process and regulations. This is a trade-off that investors must evaluate when developing in the downtown .

RECOMMENDATION: The staff is looking for a direction from the City Council. If this is something that the Council is interested in exploring, the staff will develop the amendment language and schedule the appropriate hearings etc. The Council can, but is not required, to refer this matter to the Planning Commission.

FISCAL ANALYSIS

REVIEWED BY: City Manager _____ Finance Dir. _____ City Clerk _____

COUNCIL ACTION:

☐ Approved ☐ Denied ☐ Tabled/Deferred ☐ Assigned to:

COUNCIL ACTION: _____