
CITY OF BLAINE
REQUEST FOR CITY COUNCIL ACTION

Meeting Date: January 23, 2006

SUBJECT: Public hearing to consider a request to extend a moratorium barring the acceptance or process of applications for the development and construction of any duplex and multi-family development in the area identified in Exhibit A.

PROPOSERS: CED staff

RESPONDING DEPT: Community and Economic Development at request of City Council

PREPARED BY: Terry Galvin, Community Development Director

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

ATTACHMENTS:

Ordinance 06-2625

Ordinance Exhibit A – Area of Requested Moratorium Extension

REQUEST & BACKGROUND

When originally put in place, the Community Development Director projected that the moratorium would need to be extended one time. This is the third extension. The Director incorrectly projected time and resources necessary to complete the Comprehensive Plan update.

The Community Development Director now projects that several amendments to the Comprehensive Plan and development regulations will be complete and ready for Council review and approval by April of 2006. The amendments will bring the City of Blaine into compliance with state law. If approved, this final extension will be effective until approval of the amendments.

STAFF FINDINGS

During the upcoming planning process a moratorium on the acceptance and processing of applications for duplex and multi family development continues to be necessary to preserve the integrity of existing single family neighborhoods in the area identified as in Exhibit A.

RECOMMENDATION

Staff recommends extension of the moratorium continue until amendments to the Comprehensive Plan and zoning regulations have been approved by the Council no later than April of 2006.

REVIEWED BY: City Manager _____ Finance Dir.  City Clerk 

CITY COUNCIL ACTION: ☐ Approved ☐ Denied ☐ Tabled/Deferred ☐ Assigned

ORDINANCE NO. 06-2625

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
BLAINE, WASHINGTON, EXTENDING AND IMPOSING A
MORATORIUM ON APPLICATIONS FOR DEVELOPMENT &
BUILDING PERMITS FOR DUPLEX AND MULTIFAMILY
BUILDINGS WITHIN THE RESIDENTIAL MEDIUM DENSITY (RM)
& SINGLE/DUPLEX RESIDENTIAL (SDR) ZONING DISTRICTS AS
IDENTIFIED IN EXHIBIT A.**

WHEREAS, on August 9, 2004, after holding a public hearing the City Council voted to approve a moratorium barring the acceptance or processing of applications for the development and construction of any duplex and multi-family development in the area identified in Exhibit A; and,

WHEREAS, the City of Blaine has not completed its update of the City's Comprehensive Plan and zoning regulations; and,

WHEREAS, the City Council finds that balancing an appropriate mix of multi-family and single family zones, and the degree of duplex multi-family residential uses within existing developed single family neighborhoods, regardless of the type of zoning the moratorium imposed by this ordinance is necessary for the protection of the public health, safety, property or peace; and,

WHEREAS, the City Council continues to find that there is a high probability that duplex and multi-family development will occur in existing single family neighborhoods while the City reviews and updates it's Comprehensive Plan and zoning regulations which could have the adverse affect of fundamentally changing those neighborhoods in a manner inconsistent with the existing Comprehensive Plan for the City; and,

WHEREAS, the City Council continues to maintain that duplex and multi-family uses can fundamentally change the character and makeup of those neighborhoods, and can adversely affect the health, welfare, and safety of those neighborhoods; and,

WHEREAS, during the upcoming planning process a moratorium on the acceptance and processing of applications for duplex and multi family development continues to be necessary to preserve the integrity of existing single family neighborhoods from the deleterious effects of duplex and multi-family development that could occur from continued infilling; and,

WHEREAS, RCW 35A.63.220 authorizes the City to adopt a moratorium for a period of six months and extend the moratorium period for additional 6-month period or until the City Council passes the Comprehensive Plan update; and,

WHEREAS, the City SEPA Administrator previously issued a SEPA Determination of Non-Significance on July 1, 2004 for the original moratorium which is unchanged herein except for its term; and,

WHEREAS, the City Council held a Public Hearing following a duly noticed special meeting to extend this moratorium on January 23, 2006, and received testimony from the public and staff in support of the findings set forth above and below;

NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF BLAINE as follows:

Section 1: The Council adopts the following Findings of Fact:

1. The subject neighborhoods are currently zoned Residential Medium Density (RM) and Single/Duplex Residential (SDR) which allows duplex and multi-family residential development as indicated in Exhibit A.
2. Neighborhood members in the subject area have voiced great concern with respect to duplex and multi-family residential development into their single family owner-occupied neighborhoods.
3. The predominantly single family neighborhoods within this district have been affected by new multi-family development.
4. There is ample land available with appropriate zoning in other areas of the city to locate duplex and multi-family housing and to accommodate the population growth allocated to the City in the Countywide Planning Policies, and the City Comprehensive Plan.
5. The City of Blaine is in the process of updating its Comprehensive Plan and zoning ordinance and will consider adjustments to the allowed location and regulation of duplexes and multi-family residences.
6. RCW 35A.63.220 authorizes the City to extend a moratorium as provided for herein.

Section 2: The City hereby extends the moratorium mandated in Ordinance No. 05-2626. This action will effectively bar the City from accepting or processing applications for the development and construction of any duplex and multi-family development in the area identified in Exhibit A, until amendment to the Comprehensive Plan and zoning regulations have been approved by the Council no later than April of 2006.

Section 3: The Department of Community Development shall continue preparation of proposed land use regulations governing duplex and multi-family housing within the City and shall submit them for consideration by the Planning Commission and City Council.

Section 4: The moratorium extension imposed in this ordinance shall become effective upon signature by the mayor and shall continue until amendments to the Comprehensive Plan and zoning regulations have been approved by the Council no later than April of 2006.

Section 5: If any section, subsection, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance.

PASSED BY THE CITY COUNCIL OF THE CITY OF BLAINE, WASHINGTON
on the ____ day of _____, 2006, and approved by the Mayor on the same day.

CITY OF BLAINE, WASHINGTON

MIKE MYERS, MAYOR

ATTEST/AUTHENTICATE:

APPROVED AS TO FORM

SHERI SANCHEZ, CITY CLERK

JON SITKIN, CITY ATTORNEY

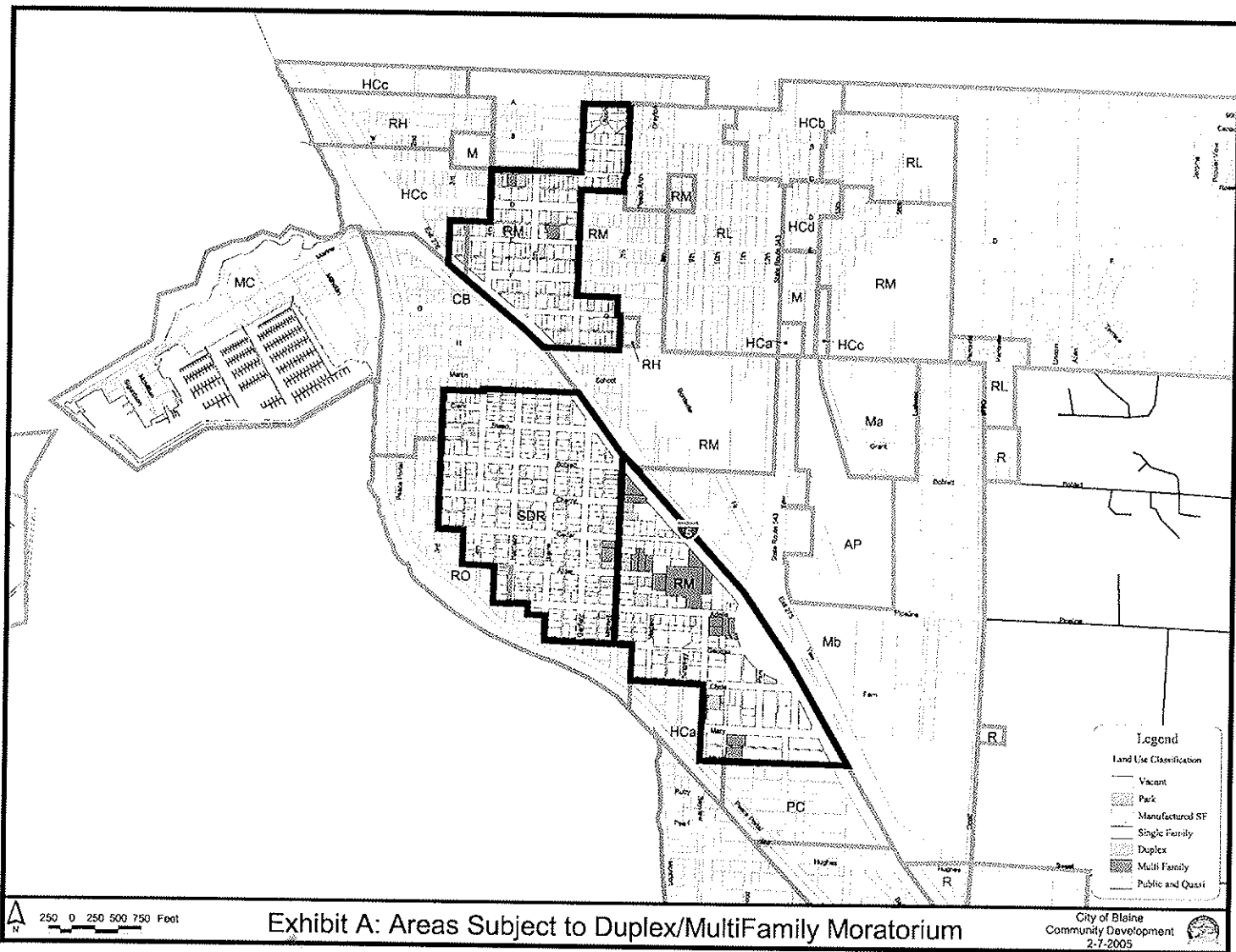


Exhibit A: Areas Subject to Duplex/MultiFamily Moratorium