

ORDINANCE 06-2628

AN ORDINANCE OF THE CITY OF BLAINE, WASHINGTON, ADOPTING AMENDMENTS TO THE CITY OF BLAINE COMPREHENSIVE PLAN & CODE TO ACHIEVE GMA COMPLIANCE

WHEREAS, Chapter 35A.63 of the Revised Code of Washington authorizes the City Council to adopt and update a Comprehensive Plan, after receipt of a recommendation from the Planning Commission; and,

WHEREAS, Chapter 36.70A of the Revised Code of Washington requires selected Cities and Counties to update their adopted Comprehensive Plans; and,

WHEREAS, on April 24, 2006, the City Council of the City of Blaine adopted updates to its Comprehensive Plan which are consistent with State growth management goals, the State criteria for plan adoption contained in Section 365-195 of the Washington Administrative Code, and the Whatcom County County-Wide Planning Policies; and,

WHEREAS, Section 365-195-630 of the Revised Code of Washington requires the ongoing evaluation of the Comprehensive Plan to ensure internal and interjurisdictional consistency of the plan and development regulations, and allows the plan to be amended once every year; and,

WHEREAS, in conjunction with several work sessions on the Comprehensive Plan, the Planning Commission of the City of Blaine held a public hearing on March 9, 2006, at which time all interested parties were given the opportunity to be heard and present evidence; and,

WHEREAS, after conducting the public hearing, holding work sessions and finalizing their findings and recommendations on April 13, 2006 the Planning Commission of the City of Blaine forwarded to the City Council a recommendation to adopt revisions to the City of Blaine Comprehensive Plan; and,

WHEREAS, after holding two work sessions, on April 24, 2006 the City Council of the City of Blaine held a public hearing, at which time all interested parties were given the opportunity to be heard and present evidence; and ,

WHEREAS, after conducting the public hearing, considering all testimony, and finalizing their findings and conclusions, the City Council voted to adopt the revisions contained in this Ordinance;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLAINE DOES ORDAIN AS FOLLOWS:

Section 1: The following **Findings of Fact** are hereby adopted:

1. RCW 36.70A.13 (The Growth Management Act) requires that every seven years **Clallam, Clark, Jefferson, King, Kitsap, Pierce, Snohomish, Thurston, and Whatcom** counties and the cities within those counties review, evaluate, and adopt any needed amendments to comprehensive plans and development regulations to bring them into compliance with all GMA legislation.
2. The city of Blaine has invested considerable resources to compile an accurate data and information base necessary to develop rational and logical land use plans for future development in the City of Blaine. Recent work includes the following:
 - Completed Blaine population growth projections for 20-year planning period.
 - Completed aerial surveys of the City and its UGA.
 - Completely revamped and updated the City's GIS parcel data and property boundaries in a GIS format.
 - Completed critical areas identification and mapping.
 - Completed a shorelines inventory and draft program.
 - Completed a land use inventory.
 - Completed a buildable lands inventory.
 - Completed a draft background document with sufficient detail to provide the base line information necessary to help formulate policy.
3. The City of Blaine has coordinated with other jurisdictions and involved the community in the development of the proposed amendments. This includes the following:
 - Worked with all local jurisdictions to develop and approve County Wide Planning Policies.
 - Initiated the Comprehensive Plan update with a several public visioning work sessions and town meetings.
 - Reviewed initial concept changes to the Comprehensive Plan update with both the Planning Commission and the City Council on tours and several work sessions.
 - Conducted numerous workshops with various interest groups addressing unique components of the City.
 - Held numerous neighborhood meetings to review findings and seek participation in housing and neighborhood issues.
4. The City of Blaine provided the Washington State Department of Community, Trade and Economic Development (CTED) with a draft of the city's compliance amendments in February of 2006. On February 13, 2006 the city received a letter from CTED indicating that the City has met state procedural requirements.
5. Environmental Review was conducted and a Determination of Non-Significance was issued and circulated by the City of Blaine's SEPA Official on April 18, 2006 and published in the official paper of record (Bellingham Herald).
6. Public Notice was published in the official paper of record, which announced a Planning Commission public hearing scheduled for 7:00 PM March 9, 2006.
7. Public Notice was published in the official paper of record, which announced a City Council public hearing scheduled for 7:00 PM April 24, 2006.
8. The City Council has concluded that the amendments are necessary to meet minimum GMA Requirements and will bring the City of Blaine into compliance with Growth Management Act.
9. Additional amendments will address a number of persistent or technical problems within the City's Comprehensive Plan and development regulations that should not wait the full length of year to be corrected. These include amendments that address:
 - a. Lifting a moratorium on multifamily building in some established neighborhoods;
 - b. Increasing opportunities for affordable owner occupied housing in central Blaine neighborhoods;
 - c. Preservation of some well established neighborhoods;

- d. Creation of minimum design standards to maintain consistent integrity in residential neighborhoods;
- e. Halting the commercial stripping of Peace Portal Drive and taking the first steps toward its development as a downtown scenic loop;
- f. Elimination of an exclusive commercial zone that restricts small business location in favor of large malls or other large commercial projects over five acres;
- g. Codification of setback language on corner lots;
- h. Creation of enforcement provisions necessary to enforce land use decisions.

Section 2: The 1999 Comprehensive Plan and Blaine Municipal Code are hereby amended as follows:

(Insert final amendments here)

Section 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 4: 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.

Section 5: This Ordinance shall take effect and be in force from and after its passage by the City Council and approval by the Mayor, if approved, otherwise, as provided by law and five (5) days after the date of posting of publication.

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

MAYOR

ATTEST:

APPROVED AS TO FORM:

CITY CLERK

CITY ATTORNEY