

May 16, 2016

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Ordinance 6290 imposing an interim official control regarding the relocation of BelRed businesses displaced by the Sound Transit East Link project; providing for severability; and establishing an effective date.

FISCAL IMPACT

No fiscal impact is expected. The application of Interim Official Controls amending the Land Use Code will be administered by land use staff during review of permit applications.

STAFF CONTACT

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Planning & Community Development Department

POLICY CONSIDERATION

Should the City Council adopt an Interim Official Control amending the Land Use Code, allowing businesses located in BelRed and displaced by the Sound Transit East Link Project to relocate to existing buildings within the BelRed Corridor?

DIRECTION NEEDED FROM COUNCIL

☒ Action
☐ Discussion
☐ Information

BACKGROUND

In October 2015, the Council endorsed an ambitious Planning and Land Use Code development work program to support the Community Vision articulated in the updated Comprehensive Plan. During the work program discussions, Council asked staff to explore and experiment with new techniques to generate efficiencies in advancing planning and code development work, and respond more quickly to emerging opportunities that align with the City's economic development goals.

At the May 9, 2016 Council Study Session, Council directed staff to create an Interim Official Control that will amend the Land Use Code to allow businesses located in BelRed Subarea and displaced by the Sound Transit East Link Project to relocate to existing buildings within BelRed Corridor.

The limited space available to accommodate the historic light industrial and service uses in BelRed will likely result in the loss of business retention opportunities if steps are not taken to allow them to relocate before the BelRed Lookback is completed by the Planning Commission and recommended to the City Council for final adoption. The proposed implementation of an Interim Official Control responds to current challenges facing businesses in this area and specifically Park Place LTD, an auto dealership

currently located at 13710 NE 20th Street in the BelRed that must relocate due to the East Link project. Park Place LTD has found it difficult to locate property and buildings suitable for their operations.

An updated vision for the BelRed Subarea was adopted by the City Council in May 2009 together with regulations to facilitate BelRed's transformation into a vibrant and sustainable, pedestrian-oriented mixed use neighborhood with vital businesses supported by a Link Light Rail. Many of the businesses and developments located in BelRed prior to the 2009 land use changes would not be allowed to establish in this area under the code that is in effect today.

The City Council has identified an emergent need to accommodate established businesses displaced by Sound Transit. An Interim Official Control puts temporary regulations in place to guide new development while permanent regulations are being prepared. Notice and a public hearing are not necessary prior to enactment of an interim official control, so the regulations can be put in place quickly. However, a public hearing must be held within 60 days of its adoption.

Under the terms of RCW 36.70A.390 this interim official control is recommended to be in effect for a period of 6 months. If necessary, the Interim Official Control may be renewed for additional six-month periods if a subsequent public hearing is held and findings of fact are made prior to each renewal. Code amendments necessary to implement findings of the BelRed Lookback would likely be considered by the Planning Commission in early 2017.

This proposed action aligns with the City's Economic Development goal of business retention and will have limited impact on the planned transformation envisioned for the BelRed area of the City. The adoption of interim controls would provide a near-term solution that will be evaluated as part of the "BelRed Lookback" scheduled for future Council consideration.

EFFECTIVE DATE:

If adopted, this Ordinance becomes effective on May 26, 2016.

OPTIONS

1. Adopt Ordinance adopting Interim Officials Controls amending the Land Use Code, to allow businesses located in BelRed and displaced by the Sound Transit East Link Project to relocate to existing buildings within the BelRed Corridor; and, direct staff to schedule a public hearing within 60 days.
2. Reject Ordinance regarding the adoption of Interim Officials Controls amending the Land Use Code, allowing businesses located in BelRed and displaced by the Sound Transit East Link Project to relocate to existing buildings within the BelRed Corridor.

RECOMMENDATION

Option 1.

MOTION

Move to adopt Ordinance No.6290 imposing an interim official control regarding the relocation of BelRed businesses displaced by the Sound Transit East Link project; providing for severability; and establishing an effective date.

ATTACHMENTS

Proposed Ordinance No. 6290