

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3111

AN ORDINANCE regarding the jurisdiction of the Hearing Examiner as the hearing body for the appeal of certain administrative determinations.

WHEREAS, Bellevue City Code (Land Use Code) 20.50.024 provides that the City Council may designate a hearing body for the appeal of administrative determinations made under the Land Use Code; and

WHEREAS, the City Council desires to designate the Hearing Examiner as the hearing body for the appeal of certain administrative determinations;

WHEREAS, various ordinances of the City provide that the Hearing Examiner shall act as hearing body for designated matters, and the Council desires to establish a consolidated listing of matters over which the Examiner has jurisdiction, now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. The Hearing Examiner shall be the hearing body for all appeals from the following decisions of the Planning Director under the Land Use Code:

1. Administrative design review decisions appealed under Bellevue City Code (Land Use Code) 20.30.475(E), provided that this ordinance shall not apply to CBD design review decisions, which may be appealed to the City Council in accordance with Bellevue City Code (Land Use Code) 20.30.475(F).
2. Transition area modification decisions appealed under Bellevue City Code (Land Use Code) 20.25B.040 and 20.30.475(E).
3. Administrative conditional use permit decisions appealed under Bellevue City Code (Land Use Code) 20.30.620.
4. PO District design review decisions appealed under Bellevue City Code (Land Use Code) 20.25D.020.
5. Temporary use permit decisions appealed under Bellevue City Code (Land Use Code) 20.30.405(B), 20.20.880(A) and 20.30.075.

6. Appeals of administrative decisions regarding alternative landscaping as provided in Bellevue City Code (Land Use Code) 20.20.520(J)(4).
7. Administrative determinations, interpretations, orders, requirements or decisions appealed under Bellevue City Code (Land Use Code) 20.40.420 and 20.30.075-.090.
8. All other administrative decisions of the Planning Director unless the Planning Commission or Board of Adjustment is designated by name as the hearing body.

Section 2. The Hearing Examiner shall be the hearing body for the following appeals:

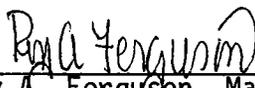
1. Administrative short plat decisions as provided by Bellevue City Code (Land Use Code) 20.40.250 and Bellevue City Code 22C.11.100.
2. Appeal of determinations concerning the acceptability of final plats as provided in Bellevue City Code 22C.10.220.
3. Appeal of SEPA threshold determination as provided in Bellevue City Code (Land Use Code) 20.40.250 and Bellevue City Code 22.02.080.
4. Appeal of an action of the City taken by a nonelected official thereof approving a proposal subject to conditions, or denying a proposal, under the authority of the Bellevue City Code 22.02.140, which action does not require City Council approval, as provided by Bellevue City Code 22.02.150.
5. Appeals of administrative decisions of the permit authority under Bellevue City Code Chapter 23.76, the Clearing and Grading Code, as provided under Bellevue City Code 23.76.036.
6. Appeals under Bellevue City Code Chapter 22B.10, the Sign Code, as provided in Bellevue City Code 22B.10.190.
7. Appeal of administrative determination that a vehicle should be forfeited, pursuant to RCW 69.50.505(A)(4).
8. Appeals of administrative decisions regarding site plan review as provided in Bellevue City Code (Land Use Code) 20.20.775(N).

Section 3. This ordinance shall apply to all appeals now pending on which no hearing has yet been held.

Section 4. This ordinance shall be published by posting it in the three official posting places of the City, and shall take effect and be in force five days after the date of posting.

PASSED by the City Council this 11th day of October, 1982, and signed in authentication of its passage this 11th day of October, 1982.

(SEAL)



Roy A. Ferguson, Mayor

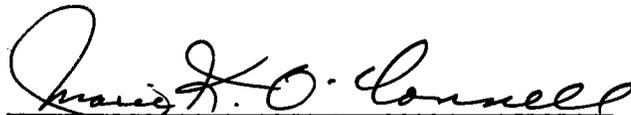
Approved as to form:

Linda M. Youngs, City Attorney



Richard Gidley, Assistant City Attorney

Attest:



Marie K. O'Connell, Acting City Clerk

Published October 16, 1982