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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 3241

AN ORDINANCE relating to the prohibition of reclassifications during the subarea planning process; amending Section 2 of Ordinance No. 2714 and Bellevue City Code (Land Use Code) 20.30.715.

WHEREAS, it is necessary to prevent reclassifications of land during the entire subarea planning process; and

WHEREAS, in order to accomplish this goal, it is necessary to lengthen the maximum time allowed during which reclassification will be prohibited; and

WHEREAS, the City of Bellevue has complied with the State Environmental Policy Act and with the City's Environmental Procedures Ordinance; now, therefore

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

Section 1. Section 2 of Ordinance No. 2714 and Bellevue City Code (Land Use Code) 20.30.715 are amended to read as follows:

20.30.715 Subarea Studies - Prohibition of Reclassifications

A. The City Council may direct, by resolution, that the City Administration conduct studies of designated localities, or subareas, within the City to aid the Council in considering and evaluating whether modifications of the land use classifications, land use regulations and/or comprehensive plan provisions applicable within such subareas may be necessary. In the resolution directing such a subarea study be undertaken the Council shall provide that during the pendency of such study and a period thereafter during which the Council will consider the same no reclassifications within the subarea be granted, no applications for reclassifications be accepted or processed by the City except that applications which have had a public hearing in whole or in part shall not be affected. Such prohibition shall run concurrently with the study and for such period thereafter as the Council deems necessary for it to consider and act on the same, but in no case shall exceed eighteen months. Such

prohibition automatically becomes void upon the effective date of the applicable Subarea Plan, and in no case may such a prohibition be extended. No properties within such a designated subarea shall be exempt from such a prohibition, except as may be required by law.

B. Whenever a resolution for a subarea study is adopted hereunder, the Council shall make and enter findings supporting its decision, including findings that:

1. Conditions which affect and impact land usage in the subarea have so changed since the establishment of the existing land use classification or classifications therein, due to growth, development, impact on the environment by uses in or around the subarea, evolving patterns of land use, traffic or other pertinent factors, that such classification or classifications may be outmoded or unreasonable.

2. In order for the Council to properly evaluate such changed conditions, and to determine whether such changes in the character, condition or surroundings of the subarea require a change in land use classification or classifications, it is necessary that the City conduct a study in order to collect and organize appropriate information and evidence for the Council to consider.

3. Pending a preparation and completion of said study, and consideration of the same by the Council, it is necessary that reclassifications be prohibited in the subarea because such reclassifications might be contrary to the land use classifications which may ultimately, in the interest of the public health, safety and welfare, be adopted for such subarea by the Council following consideration and evaluation of the study by the Council.

4. The Council may make and enter such other additional findings as it deems necessary.

Section 2. This ordinance shall be published by posting it in the three official posting places of the City, and shall take effect and be

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in force five days after the date of posting.

PASSED by the City Council this 7th day of March, 1983, and signed in authentication of its passage this 7th day of March, 1983.

(SEAL)

Roy A. Ferguson, Mayor

Approved as to form:

Linda M. Youngs, City Attorney

Richard Gidley, Assistant City Attorney

Attest:

Marie K. O'Connell, City Clerk

Published March 12, 1983