

CITY OF BELLEVUE, WASHINGTON
ORDINANCE NO. 5122

AN ORDINANCE relating to the Comprehensive Plan of the City of Bellevue, as required and adopted pursuant to the Growth Management Act of 1990, as amended, (chapter 36.70A RCW); adopting a Phase II 1998 amendment to the Comprehensive Plan; amending the Land Use Element by adding a new Policy LU-15a regarding Open Space Taxation; and establishing an effective date. (Open Space Taxation CPA-97-9142)

WHEREAS, the City of Bellevue initiated a Comprehensive Plan Amendment (Open Space Taxation CPA-97-9142) to modify the Land Use Element to add a new policy and discussion to address open space taxation in the City of Bellevue; and

WHEREAS, the Planning Commission held a public hearing on February 11, 1998 with regard to such proposed amendment; and

WHEREAS, the Planning Commission recommends that the City Council approve amendment of the Land Use Element by the addition of a new Policy LU-15a regarding open space taxation; and

WHEREAS, the City Council desires to adopt this amendment as part of the City's 1998 amendments to the Comprehensive Plan; and

WHEREAS, the City Council has considered this amendment concurrently with the other 1998 amendments; and

WHEREAS, the City of Bellevue has complied with the requirements of the State Environmental Policy Act and the City Environmental Procedures Code; now, therefore,

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

Section 1. The Land Use Element of the Comprehensive Plan of the City of Bellevue is amended by the addition of a new Policy LU-15a to read as:
Policy LU-15a. Encourage the preservation of open space through the Open Space Taxation Act on properties which qualify under King County's Public Benefit Ratings System. For properties which score the minimum number of points to qualify under the Public Benefit Ratings System, and in particular those properties which qualify solely based on the Urban and Growth Area Open Space category, additional criteria should be considered, but not limited to:

Protection of native plant species, or

Preservation of visual quality along roadways, or

Enhancements to abutting parks and open space, or

Provisions for public access, or

Need for open space in the area

Discussion: The Open Space Taxation Act allows properties to be taxed at their current use rather than their highest and best use in exchange for limiting development on the property for a minimum of ten years. King County has established a Public Benefits Ratings System to score properties suitability for current use taxation. It is appropriate for the City to approve current use taxation for properties which qualify under the Public Benefits Ratings System. However, properties which score the minimum number of points to qualify or qualify based solely on the Urban and Growth Area Open Space category may have limited public benefit. These properties should have additional criteria considered before receiving approval.

As required by the Open Space Taxation Act, applications for current use taxation should be processed in the same manner as an amendment to the Comprehensive Plan. However, they do not amend the Comprehensive Plan.

Section 2. This ordinance shall take effect and be in force five days after its passage and legal publication. This ordinance and the Comprehensive Plan shall be available for public inspection in the office of the City Clerk.

PASSED by the City Council this 14th day of December, 1998, and signed in authentication of its passage this 14th day of December, 1998.

(SEAL)

Mike Creighton, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Richard L. Kirkby, Assistant City Attorney

Attest:

Myrna L. Basich, City Clerk

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