1266-RES
11/23/2004

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CITY OF BELLEVUE, WASHINGTON

RESOLUTION NO. 7108

A RESOLUTION regarding the City's progress in updating its Critical Areas policies and regulations, as required by RCW 36.70A.130.

WHEREAS, the Growth Management Act requires jurisdictions to update their Comprehensive Plans and development regulations at least once every seven years; and

WHEREAS, the City's first required update is to be completed on December 1, 2004; and

WHEREAS, the City has identified the need to review and update the Environmental Element to the Comprehensive Plan and its development regulations relating to critical areas to comply with the best available science requirements of RCW Section 36.70A.172 (referred to as the "Critical Areas Update"); and

WHEREAS, the City began the Critical Areas Update in 2001 with formation of a Citizens' Advisory Committee (CAC); and

WHEREAS, the CAC met for over 18 months in more than 22 meetings to review and consider best available science and develop amendments to the Environmental Element of the Comprehensive Plan; and

WHEREAS, the CAC's recommendation was forwarded to the Planning Commission for consideration in June, 2003; and

WHEREAS, the Planning Commission held a public hearing on the Environmental Element of the Comprehensive Plan and transmitted their recommendation to the City Council on September 1, 2004; and

WHEREAS, the City Council adopted Resolution No. 7106 on November, 22, 2004, which Resolution contains an incorrect date for the Council's action amending the Comprehensive Plan; and

WHEREAS, the City Council desires to repeal Resolution No. 7106 and adopt a corrected resolution; and

WHEREAS, the City Council adopted, by Ordinance No. 5563 amendments to the Environmental Element on November 29, 2004 that are the culmination of this extensive public process to identify and consider best available science in formulating Comprehensive Plan policies relating to critical areas, including special consideration for anadromous species; and

ORIGINAL

WHEREAS, the Planning Commission has begun its work to consider amendments to the Land Use Code to implement these recently adopted Comprehensive Plan amendments; and

WHEREAS, the City Council authorized, through Resolution No. 7103, execution of a Professional Services Contract for an update of existing best available science materials and preparation of an Environmental Impact Statement related to amendments to the Land Use Code development regulations relating to best available science; and

WHEREAS, the City has determined that because of the potential impact of amendments to the Land Use Code on a substantial number of property owners in the City, and the complexity of the issues addressed in the best available science, additional time is necessary to complete the amendments to the Land Use Code; and

WHEREAS, the City recognizes the importance of complying with the Growth Management Act's direction for meaningful public participation in the planning process; and

WHEREAS, the City, through the Planning Commission, will conduct a Public Hearing prior to adopting any Land Use Code amendment considered under this resolution; now, therefore,

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

Section 1. Resolution No. 7106 is hereby repealed in its entirety.

Section 2. The Director of the Department of Planning and Community Development (the Director) is hereby directed to continue processing amendments to the Land Use Code to implement the Environmental Element of the Comprehensive Plan. The consideration of such amendments shall be processed in compliance with the provisions of the Land Use Code concerning amendments to the text of the Land Use Code, including the requirement for a Public Hearing prior to final action.

Section 3. The Director shall make available to the public and to the Planning Commission the results of the update to existing best available science currently underway in a manner that is understandable to the layperson.

Section 4. In compliance with the City's Land Use Code requirements and the requirements of the State Environmental Policy Act, the Director shall endeavor to schedule a public hearing, through the Planning Commission, on proposed amendments to the Land Use Code by May of 2005.

ORIGINAL

Section 5. The Critical Areas Update project schedule should allow for action by the City Council on amendments to the Land Use Code, considering best available science and including special consideration for anadromous species in June of 2005.

Passed by the City Council this 29th day of November, 2004, and signed in authentication of its passage this 29th day of November, 2004.

(SEAL)

Connie B. Marshall

Connie B. Marshall, Mayor

Attest:

Myrna L. Basich

Myrna L. Basich, City Clerk