EAST BELLEVUE COMMUNITY MUNICIPAL CORPORATION
OF THE CITY OF BELLEVUE, WASHINGTON

Resolution No. 426A

A RESOLUTION of the East Bellevue Community Council disapproving City Council Ordinance No. 5234, relating to the revision of Residential Land Use Charts that govern multifamily development in the Crossroad Subarea to be consistent with the Comprehensive Plan; amending the Residential Land Use Charts contained in Section 20.10.440 of the Bellevue Land Use Code.

WHEREAS, on the 17th day of July 2000, the City Council of the City of Bellevue, Washington passed Ordinance No. 5234, relating to the revision of Residential Land Use Charts that govern multifamily development in the Crossroad Subarea to be consistent with the Comprehensive Plan; amending the Residential Land Use Charts contained in Section 20.10.440 of the Bellevue Land Use Code; and

WHEREAS, the subject matter of said Ordinance falls within the jurisdiction of the East Bellevue Community Council pursuant to RCW 35.14.040; and

WHEREAS, the EBCC held a public hearing on Ordinance No. 5234 on August 1, 2000, and asked the City Planning Department to answer questions regarding the Ordinance; and

"WHEREAS, the City Planning Department representative could not answer the questions posed by the EBCC during the August 1, 2000 hearing, and so the EBCC decided to continue their deliberations on Ordinance No. 5234 until the September 5, 2000 meeting; and

"WHEREAS, on September 5, 2000, a Planning Department representative provided additional documentation to the EBCC, in the form of a memo dated September 5, 2000 from
Cristina VanValkenburgh; and

"WHEREAS, Ms. VanValkenburgh also informed the EBCC that the City acknowledged that the effect of Ordinance No. 5234 would be to eliminate the conditional use process for senior housing within the EBCC's jurisdiction; and

"WHEREAS, Ms. VanValkenburgh stated that although the intent of the amendment was to make the Land Use Code consistent with applicable Comprehensive Plan policies, the City did not intend to delete the requirement that certain types of senior housing proposals would not require a conditional use permit; and

WHEREAS, following the public hearing held before the East Bellevue Community Council on September 5, 2000 the Community Council voted in open meeting to disapprove Ordinance No.5234.

NOW THEREFORE, BE IT RESOLVED by the Community Council of the East Bellevue Community Municipal Corporation:

Section 1: The East Bellevue Community Council hereby disapproves Ordinance No. 5234 enacted by the Bellevue City Council on July 17, 2000, and, pursuant to RCW 35.14.040, this Ordinance shall not become effective within the area of the East Bellevue Community Municipal Corporation.

Section 2: The East Bellevue Community Council disapproved Ordinance No. 5234 based upon the following findings:

1. The EBCC currently has statutory jurisdiction to disapprove the City's approval of a conditional use permit (within the territory of the EBCC), pursuant to RCW 35.14.040.

2. The EBCC interprets Ordinance No. 5234 as eliminating the requirement for conditional use permits for the conversion of multi-family development into senior housing.

3. The City admits that the effect of Ordinance No. 5234 would eliminate the requirement for conditional use permits for the conversion of multi-family development into senior housing.

4. The EBCC hereby disapproves Ordinance No. 5234 as inconsistent with state law, RCW 35.14.040(3).

5. The EBCC acknowledges that the City intends to reconsider and possibly revise Ordinance No. 5234 to be consistent with state law, the City's Comprehensive Plan and the City's Land Use Code.

Section 3. The Clerk is hereby directed to certify the original of this Resolution, to file the same and to keep the same on file in her office. The Clerk is further directed to distribute certified and conformed copies of the Resolution to the Bellevue City Council, the Office of Policy Planning, and the Department of Community Development.

PASSED by a majority vote of the East Bellevue Community Council on the 5th day of September, and signed in authentication of its passage this 3rd day of October, 2000.

(SEAL)

Bill Halgren

Vice Chair Bill Halgren

ATTEST:

Michelle Murphy

Michelle Murphy, CMC
Deputy City Clerk