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

Resolution No. 405A

A RESOLUTION of the East Bellevue Community Council disapproving City Council Ordinance No. 5081, relating to the Traffic Standards Code and Chapter 14.10 of the Bellevue City Code; amending Section 2 of Ordinance No. 4606 and Sections 14.10.005, 14.10.010, 14.10.020, 14.10.030, 14.10.040, 14.10.050, 14.10.060 of the Bellevue City Code; Sections 1 through 6 of Ordinance No. 4823; and Section 30 of Ordinance No. 4978; modifying the level-of-service computational method to use two instead of one evening peak hours; changing the method of calculating level-of-service from that in the Transportation Research Circular No. 212 to that in the Highway Capacity Manual Special report 209; and clarifying the Land Use Code process.

WHEREAS, on the 20th day of July, 1998, the City Council of the City of Bellevue, Washington passed Ordinance No. 5081, relating to the Traffic Standards Code and Chapter 14.10 of the Bellevue City Code; amending Section 2 of Ordinance No. 4606 and Sections 14.10.005, 14.10.010, 14.10.020, 14.10.030, 14.10.040, 14.10.050, 14.10.060 of the Bellevue City Code; Sections 1 through 6 of Ordinance No. 4823; and Section 30 of Ordinance No. 4978; modifying the level-of-service computational method to use two instead of one evening peak hours; changing the method of calculating level-of-service from that in the Transportation Research Circular No. 212 to that in the Highway Capacity Manual Special report 209; and clarifying the Land Use Code process; 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, following the public hearing held before the East Bellevue Community Council on August 4, 1998 the Community Council voted in open meeting to disapprove Ordinance No. 5081.

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. 5081 enacted by the Bellevue City Council on July 20, 1998, 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. 5081

based upon the following findings:

1. Ordinance No. 5081 is a Band-Aid approach to solving traffic problems.

2. Ordinance No. 5081, by the City's own admission, is a Land Use Code clarification process.

3. Under the Growth Management Act (GMA) Bellevue is legally required to use the Comprehensive Plan process to modify Level of Service (LOS). Ordinance No. 5081 modifies the LOS without complying with Comprehensive Plan requirements.

4. The Growth Management Act requires coordination of LOS with adjoining jurisdictions. Neither King County nor the cities of Redmond or Kirkland use the two-hour averaging method.

5. Many of the East Bellevue intersections and areas are projected to not meet current LOS standards.

6. Residential areas within the East Bellevue Community Council area have been subject to continuing growth and traffic volume and ever increasing congestion. Pass-through commuter traffic is the most significant part of this problem, which damages our residential area and is contrary to Bellevue's Comprehensive Plan. The practical effect of Ordinance No. 5081 will be to increase the permitted level of traffic congestion in the community. Ordinance No. 5081 will negatively impact residents within the jurisdiction of the East Bellevue Community Council.

7. Significant aspects of Ordinance No. 5081 relieves and relaxes the Level of Service Standards in the City of Bellevue under the guise of changing the one-hour peak measurement period to a two-hour measurement period and changing the method of calculating level-of-service from that of Transportation Circular No. 212 to that in the Highway Capacity Manual Special Report 209. This has the effect of increasing the permitted level of traffic congestion in the community without mitigation.

8. Ordinance. No. 5081 is detrimental to the health, safety and welfare of neighborhoods both within and without the East Bellevue Municipal Corporation of the City of Bellevue.

9. Ordinance No. 5081 is a land use ordinance because it specifies conditions when land development proposals are approved or denied.

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 1st day of September, 1998, and signed in authentication of its passage this 2nd day of September, 1998.

(SEAL)

James E. Bell

Chair James E. Bell

ATTEST:

Michelle Murphy

Michelle Murphy, CMC
Deputy City Clerk