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

Resolution No. 336-A

A RESOLUTION of the East Bellevue Community Council
disapproving City Council Ordinance No. 4511, relating
to eliminating the conditional use permit requirements
for certain city park projects; amending Section
20.10.440 (Recreation Chart) and adding a new footnote
to that section; and amending Sections 20.25H.080
(Protected Area Uses) and 25.50.040 (Additional
Definitions) of the Bellevue Land Use Code.

WHEREAS, on the 5th day of April, 1993 the City Council of the City of
Bellevue, Washington passed Ordinance No. 4511, relating to eliminating the
conditional use permit requirements for certain city park projects; 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 a public hearing held before the East Bellevue
Community Council on May 4, 1993, the East Bellevue Community Council voted
unanimously to approve Bellevue Ordinance No. 4511; and

WHEREAS, notice of said hearing was determined not to have been given
according to the Community Council Rules of Procedure and the hearing was
subsequently renoticed; and

WHEREAS, following a joint public hearing held before the Sammamish and
East Bellevue Community Councils on June 1, 1993, the East Bellevue Community
voted to disapprove Bellevue Ordinance No. 4511; and

WHEREAS, the Community Council acknowledges the time and energy spent
crafting a compromise between the existing process and simply allowing all
types of parks outright in single family zones; and

WHEREAS, the legislation forwarded to the City Council by the Planning
Commission represented this compromise; and

WHEREAS, the City Council amended Ordinance No. 4511, apparently with the
legislative intent of broadening its scope; and

WHEREAS, the definition in Footnote #10 of "non-recreation use" leaves to
the discretion of City staff the determination of whether a "commercial, social
service or residential use" is "functionally related to city park programs and
activities;"

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

Section 1: The East Bellevue Community Council hereby disapproves Ordinance No. 4511 enacted by the Bellevue City Council on April 5, 1993 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. 4511 for the following reasons:

1) The ordinance recommended by the Planning Commission, which represented a compromise position acceptable to the Community Council, was amended by the City Council.

2) The phrase "functionally related to city park programs and activities" is undefined and allows City staff too much discretion in defining future activities as park programs.

3) The Community Council believes that the conditional use process provides better protection to adjacent neighbors from the impacts of park programs and activities, which under Footnote #10 may be broadly construed in the future by City staff.

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 or conformed copies of this Resolution to the Bellevue City Council, the Bellevue Planning Department, and the Department of Design and Development.

1st PASSED by a unanimous vote of the East Bellevue Community Council on the 1st day of June, 1993, and signed in authentication of its passage this 1st day of June, 1993.

(SEAL)

James E. Bell, Chair

ATTEST:

Sharon Mattioli, CMC
Deputy City Clerk