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**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 Council 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

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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.

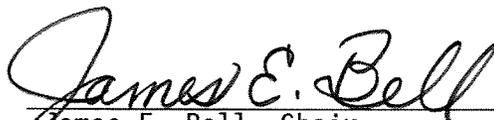
Section 2: The East Bellevue Community Council disapproved Ordinance No. 4511 for the following reasons:

- 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.

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

Sharon Mattioli, CMC
Deputy City Clerk