

Quasi-Judicial Land Use Code Amendment

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Action

1. Make a finding of necessity
2. Hold a public hearing
3. Adopt Quasi-Judicial LUCA



Agenda

1. Staff Overview of LUCA
2. Finding of Necessity
3. Public Hearing
4. Consider Adoption of Ordinance 6673



Process Timeline

June 9 -11

Council
initiates
LUCA



July 7

Notice of
Application
Published



July 14

Notice of
Public
Hearing
Published



August 1

Public
Hearing and
Adoption of
Quasi
Judicial
LUCA
Ordinance



Current Code

- Hearing Examiner (HE) makes decision for Process I
- HE makes recommendation for Process III
- Council hears Quasi-Judicial appeal
- Closed record- no new evidence
- Council reviews record for material and substantial evidence
- Council's decision may be appealed to Superior Court



Proposed LUCA

- Process I
 - HE holds evidentiary hearing & makes decision
 - **No appeal to Council**
 - Appeal filed in Superior Court
 - HE decision is final if no appeal filed



Proposed LUCA

- Process III (site-specific rezones)
 - **No appeal of HE recommendation to Council**
 - Council retains role to make final decision on rezone application
 - Council considers HE record and recommendation
 - Final decision of Council may be appealed to Superior Court



Benefits of Proposed LUCA

- Optimizes Council's legislative and policy-making role
- Promotes fair, independent and efficient land use decision-making
- Encourages meaningful public engagement when record is open for comment



Decision Criteria

- The amendment is consistent with the Comprehensive Plan; and
- The amendment enhances the public health, safety or welfare; and
- The amendment is not contrary to the best interest of the citizens and property owners of the City of Bellevue



Action

Make a finding of necessity, hold a public hearing, and adopt Ordinance No. 6673.

