

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. [Abstract]

AN ORDINANCE amending Chapter 23.76 of the Bellevue City Code (BCC), Clearing and Grading Code, to provide clarity, consistency, and improve its function and usability; providing for severability; and establishing an effective date.

WHEREAS, throughout the process of administering Chapter 23.76 BCC, the Clearing and Grading Code, the City has identified necessary amendments to Chapter 23.76 BCC in order to improve its function and usability, which fall into three categories: (1) clarifications, (2) improvements to internal BCC and LUC consistency, and (3) corrections or updates to citations; and

WHEREAS, through these necessary amendments, the City seeks to improve the administration of the Clearing and Grading Code; and

WHEREAS, the City Council reviewed proposed amendments to the Clearing and Grading Code at a study session on January 10, 2022; and

WHEREAS, the City Council desires to amend Chapter 23.76 BCC, the Clearing and Grading Code, to provide clarity, consistency, and improve its function and usability; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 23.76.035.A.1 of the Bellevue City Code is hereby amended to read as follows:

1. Any clearing, filling, or excavation in a critical area, critical area buffer, shoreline aquatic environment, or shoreline vegetation conservation area;

...

Section 2. Section 23.76.042.B of the Bellevue City Code is hereby amended to read as follows:

B. When clearing or grading of building sites is interrupted or suspended for any reason, the permittee shall stabilize the site(s) and maintain the erosion control BMPs consistent with BCC 23.76.090(E) and the clearing and grading development standards, now or as hereafter amended. If the city deems a construction site abandoned, the applicant or permittee shall install permanent erosion and sedimentation control pursuant to BCC 23.76.090(F).

Section 3. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this Ordinance.

Section 4. Effective Date. This Ordinance shall take effect and be in force five (5) days after adoption and legal publication.

Passed by the City Council this _____ day of _____, 2022 and signed in authentication of its passage this _____ day of _____, 2022.

(SEAL)

_____, Mayor

Approved as to form:

Kathryn L. Gerla, City Attorney

Matthew McFarland, Assistant City Attorney

Attest:

Charmaine Arredondo, City Clerk

Published: _____