

April 18, 2016

## **CITY COUNCIL AGENDA MEMORANDUM**

### **SUBJECT**

Public Hearing on review of Bellevue's development regulations for consistency with the Growth Management Act, which is required of jurisdictions planning under RCW 36.70A.040.

### **FISCAL IMPACT**

Demonstration that the City's development regulations are consistent with the Growth Management Act is necessary to remain eligible for state grants and loans. This public hearing is required as part of the record of the City's compliance with the state requirement.

### **STAFF CONTACTS**

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### **POLICY CONSIDERATION**

The Growth Management Act states, "...cities and counties shall take action to review and, if needed, revise their comprehensive plans and development regulations to ensure the plan and regulations comply with the requirements of this chapter...." (RCW 36.70A.130) Last year, Bellevue adopted the update to the City's Comprehensive Plan in compliance with the requirements. The purpose of the April 18 public hearing is to take the next step for demonstrating the compliance of relevant Bellevue development regulations with the requirements of the Growth Management Act.

### **BACKGROUND**

In order to be eligible for certain types of state funding (e.g. transportation, utilities and parks) cities and counties planning under the Growth Management Act must be in compliance with the requirements of the statute. King County and all of the cities within the county were required to review and, if needed, revise their Comprehensive Plans and development regulations by June of 2015. City Council adopted the update of Bellevue's Comprehensive Plan August 3, 2015. Recently, the Washington Department of Commerce indicated the city still needed to document its review of development regulations to demonstrate compliance with the Growth Management Act.

There are three major steps needed to complete this state requirement:

1. Complete the review of development regulations and develop findings for compliance with the Growth Management Act;
2. Conduct a public hearing to receive public comments on the analysis and findings (Attachment A); and
3. Adopt a Council resolution confirming the results of the analysis and a finding that the development regulations are in compliance with the Growth Management Act.

Staff have completed the required review of development regulations and concluded that the City's development regulations are in compliance with the GMA, per the "Development Regulations Checklist" provided by the state Department of Commerce. This finding applies to all development regulations except for critical areas (which is on a separate state deadline of June 30, 2016) and shoreline regulations (which are currently under review by the state Department of Ecology. It is important to note that the purpose of this review of the development regulations is solely to address the compliance requirements with the Growth Management Act in order to be eligible for state funding for transportation, utilities and parks projects. There is other, ongoing review and revision of development regulations (e.g. Downtown, Eastgate) that is not required for compliance or state funding eligibility and is therefore not part of this review or public hearing.

Staff will provide a brief summary of the purpose for the hearing and the findings of the analysis at the beginning of the public hearing. At the conclusion of the public hearing, staff is requesting City Council direction to prepare a resolution for adoption by the Council at the May 2, 2016 regular session. Based on public comment, City Council may also direct staff to conduct additional review or prepare additional documentation on the findings.

### **OPTIONS**

At the close of the public hearing, staff is requesting Council direction on one of the following options:

1. Direct staff to prepare a resolution with findings of compliance for adoption at the May 2, 2016 regular Council meeting.
2. Provide alternative direction to staff regarding additional review or documentation.

### **RECOMMENDATION**

Option 1.

### **MOTION**

Move to direct staff to prepare a resolution with findings of compliance for Council adoption in two weeks.

### **ATTACHMENTS**

- A. Development Regulations
- B. Public Hearing Notice