

REVIEW AND FINDINGS: GMA COMPLIANCE OF DEVELOPMENT REGULATIONS

The Growth Management Act (GMA) 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)

In 2015, Bellevue adopted the update to the City's Comprehensive Plan in compliance with the requirements. The next step in the process, review of development regulations, was conducted by staff from multiple departments. The following summarizes the review and findings of compliance by city staff based on the "Development Regulations Checklist" (checklist) provided by the Washington Department of Commerce (Commerce).

City regulations in process of being updated for the following checklist sections:

Critical Areas

Jurisdictions in King County have until June 30, 2016 to bring critical areas regulations up to date. This category covers best available science, wetlands, ground water, habitat, frequently flooded areas, geologically hazardous areas and forest practices. City regulations for all but best available science, wetlands and run-off from impervious surfaces were found to be in compliance. Those areas are being reviewed. If revisions are necessary for compliance with the GMA those will be brought to the City Council for action in the necessary time frame.

Shoreline Master Program

This section addresses zoning designations and protection of critical areas within the environmental designations of the Shoreline Master Program. Bellevue submitted an updated Shoreline Master Program to the Washington Department of Ecology in 2015 that is being reviewed by that agency. The update submitted to the state is in compliance with the requirements of the checklist.

City regulations were found to be in compliance for the following checklist sections:

Stormwater

This section includes regulations for the protection of water quality through the city's stormwater manual, clearing and grading permits, low impact development techniques and provisions for failing septic systems.

Zoning

This section addresses specific GMA requirements for how certain uses are regulated in the zoning code, including family daycare, manufactured housing, accessory dwelling units, group care homes, affordable housing, airports and military bases.

Subdivision

This section addresses the platting of property relative to consistency with the Comprehensive Plan review for adequacy of public facilities such as streets, utilities, parks and open space and schools.

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Impact Fees

This section addresses whether any impact fees adopted by the local jurisdiction are applied consistent with state law. Bellevue currently collects impact fees for transportation and schools (Issaquah and Renton School Districts).

Transportation

This section covers transportation-related GMA requirements for concurrency, level of service standards, state highways, transportation demand management, and commute trip reduction.

Essential Public Facilities

This section addresses GMA requirements of establishing a process for siting and ensuring regulations do not preclude these facilities that are typically difficult to site.

Optional Elements

This section addresses regulations which may be enacted to implement optional elements of the Comprehensive Plan. The relevant items for Bellevue include procedures for historic and archaeological resources, sustainability, and design guidelines.

Project Review Procedures

This section addresses a range of procedures with a focus on integrating permit and environmental review. Review procedures are related to timing and purpose of public notices, public hearings, appeals of decisions, clarity of types and procedures and integration of State Environmental Policy Act policies.

Amendments

This section addresses timing, public participation and review procedures for adopting amendments to the city's Comprehensive Plan and development regulations.

Next steps:

This information is provided for the City Council public hearing on April 18, 2016. If the findings are accepted by City Council, the next step will be Council adoption of a resolution and transmittal of this information to Commerce for a determination of compliance.