

CITY COUNCIL REGULAR SESSION

Threshold Review of the Planning Commission recommendations and the criteria set forth in Part 20.30I.140 LUC to determine by motion which amendment proposals will be included in the 2019 annual Comprehensive Plan Amendment work program.

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Community Development

EXECUTIVE SUMMARY

The City Council determines proposed Comprehensive Plan Amendments for the 2019 annual work program.

RECOMMENDATION

Move to adopt the 2019 annual Comprehensive Plan Amendment work program as recommended by the Planning Commission through their Resolution (see Attachment B).

If approved, effective date: 06/17/2019

BACKGROUND/ANALYSIS

Consideration of proposals to amend the Comprehensive Plan may be done no more frequently than once every year under the GMA. This process consists of five steps:

1. Planning Commission Threshold Review study, evaluation, and public hearings to recommend whether proposals should be considered for further review in the annual work program;
2. City Council action on Planning Commission recommendations to establish the annual work program;
3. Proposals included in the annual work program are referred back to the Planning Commission for Final Review;
4. Planning Commission Final Review study, evaluation, and public hearings; and
5. City Council legislative action on the Planning Commission's Final Recommendation.

2019 Annual Comprehensive Plan Amendments List of Proposed Amendments

The Park in Bellevue (19-104143 AC) and Bellevue Technology Center (19-104146 AC) applications were withdrawn by their applicants before City Council action on the work program; the Planning Commission unanimously recommended not advancing either of them to Final Review. The 12620 Northup Way (19-104147 AC) application was withdrawn by its applicant before the Planning Commission public hearing.

¹<https://bellevuewa.gov/city-government/departments/community-development/planning-initiatives/comprehensive-plan/comprehensive-plan-amendments>

The chart below summarizes the application in reference to the Summary Recommendation that follows. The complete application materials are available on the City web site at the link below¹. The link includes the original applications, staff recommendations, links to Planning Commission agendas, and to all public comments.

CPA	Proposal	Planning Commission Recommendation
Vision Zero for Gun Safety 19-103789 AC Citywide	<ul style="list-style-type: none"> Proposed set of Citywide policy amendments to the Human Services Element 	Do not include in work program (May 22)

See Attachment A for the complete text of the Threshold Review Decision Criteria. The chart below summarizes the decision criteria in reference to the Summary Recommendation that follows for the remaining proposal. The complete staff recommendation and the Planning Commission minutes are available on the City web site at the link below¹.

Threshold Review Decision Criteria LUC 20.30I.140
A – Appropriately addressed through Plan
B – Compliance with three-year limit
C – Does not raise policy issues outside CPA
D – Reasonably reviewed with resources
E – Addresses significantly changed conditions
F – Expand geographic scope
G – Consistent with current general Plan policies
H – State law, court or admin decision requires it

Summary Recommendation: Vision Zero for Gun Safety

This privately-initiated non-site-specific application proposes a set of policy amendments to the Human Services Element. The proposed policies establish a public health framework that would: strive to achieve zero deaths and serious injuries from gun violence in Bellevue by 2035; conduct a comprehensive review and assessment of risks to especially vulnerable residents and workers; work with our jurisdictional neighbors to develop and implement regional best practices on prediction, risk avoidance, counseling, and use of data-driven enforcement; and seek subsequent means to implement gun safety strategies supporting a safe city and promoting healthy living with sense of safety contributing to successful businesses and neighborhoods.

The Planning Commission recommends not including this proposed amendment in the 2019 work program because the application does not meet all Land Use Code decision criteria for Threshold

¹<https://bellevuewa.gov/city-government/departments/community-development/planning-initiatives/comprehensive-plan/comprehensive-plan-amendments>

Review of a privately initiated Comprehensive Plan Amendment (LUC 20.30I.140). See the Planning Commission Resolution (Attachment B.)

This privately-initiated application proposes a set of public health policy amendments to the Human Services Element. The Commission's recommendation acknowledged review of this proposed application as a matter of public health. Although this issue has many complex facets that are relevant to the City and its residents and businesses, the Threshold Review decision criteria are the sole basis for evaluating CPA applications. Accordingly, the recommendation is not based on any other factors. It follows that any related issues, implied or stated that are beyond these criteria are better suited for discussion and action in other venues.

- The Planning Commission concluded this amendment raises policy or land use issues that are more appropriately raised elsewhere. (Threshold Review Decision Criterion C)
- The Commission also concluded that the application cannot be reasonably reviewed within the resources and time frame of the current annual Comprehensive Plan Amendment work program. The work necessary to evaluate issues raised by and related to the proposed amendment, along with the civic engagement and consensus necessary to inform that evaluation, requires more resources and time than are available and applicable to the review of proposed annual amendments. (Threshold Review Decision Criterion D)
- Finally, the Commission lacked information to determine the proposal's consistency with Countywide Planning Policies or other state or federal laws. This is because the application was review as a matter of public health, with deference solely to the technical use of Threshold Review Decision Criteria for comprehensive plan-based review. (Threshold Review Decision Criterion G)

Effective Community Engagement, Outreach and Public Comments at Threshold Review

The 2019 annual proposed amendments were introduced to the Planning Commission with a February 27 introductory and statutory process review study session and a March 13 study session examining the potential expansion of geographic scope for each of the site-specific applications.

Notice of the Applications was published in the Weekly Permit Bulletin on February 21 and mailed and posted as required by LUC 20.35.420. Notice of the April 24 and May 22 Public Hearings before the Planning Commission were published in the Weekly Permit Bulletin on April 4 and May 2, respectively, and included notice sent to parties of interest and people who signed up to receive such notices.

Applicants, residents, and communities are engaging across a variety of media in proactive public participation during the 2019 annual review process. The City's early and continuous community engagement includes:

- ✓ Responsive early outreach to requests for information and to become parties of interest

¹<https://bellevuewa.gov/city-government/departments/community-development/planning-initiatives/comprehensive-plan/comprehensive-plan-amendments>

- ✓ Responding in writing to each written public comment submitted and returning phone calls
- ✓ Expanded web page material on the Comprehensive Plan Amendments webpage, including the review schedule, the applications list, and a “What’s Next” timeline
- ✓ A February 27 “Comprehensive Plan Amendment Overview” Planning Commission study session
- ✓ A March 13 “Introductory and statutory process review” Planning Commission study session
- ✓ “Drop-in” CPA sessions at Mini City Hall located at Crossroads Mall on March 22 and March 25 (multiple individuals)
- ✓ Official Weekly Permit Bulletin notice as required by code.

Public comments are received throughout the process. All written comments are included in the public record, for reference and for use by decision-makers. At the various steps, the comments are included in their original form to the Planning Commission and are available on the City web site at the link below¹.

Below is a summary of the comments and testimony.

Proposed CPA	Number	Number of comments through the public hearing date	Number speaking at the public hearings
Vision Zero for Gun Safety (May 22)	47	Favored the proposal: 43 Opposed the proposal: 2 Sought info on the proposal: 2	Favored the proposal: 9 Opposed the proposal: 1

Vision Zero for Gun Safety comments and testimony

The comments received on the Vision Zero for Gun Safety application from the applicant express his concern about the widespread trauma that gun violence causes locally, regionally, and nationally. The applicant’s comments further state that action on arresting gun violence needs to be done immediately. Other commenters expressed support for the proposal as a matter of public health, and also noted national events involving gun violence. The comment opposing the application stated that the information provided in support of the proposed amendment was in error.

POLICY & FISCAL IMPACTS

Policy Impact

Pursuant to the state Growth Management Act (GMA), the Bellevue City Code at Part 20.30I LUC permits property owners to initiate site-specific Comprehensive Plan Amendments (CPA) and for anyone to propose non-site-specific, or citywide amendments. Privately-initiated applications are accepted and reviewed annually; they are not part of a broader City initiative. Proposed site-specific amendments approved by the City Council lead to rezoning, to ensure development regulations that are consistent with and implement the comprehensive plan.

¹<https://bellevuewa.gov/city-government/departments/community-development/planning-initiatives/comprehensive-plan/comprehensive-plan-amendments>

Fiscal Impact

There is no fiscal impact to establishing the Annual Comprehensive Plan Amendments work program.

OPTIONS

1. Move to adopt the 2019 annual Comprehensive Plan Amendment work program as recommended by the Planning Commission through their Resolutions (Attachment B.) With this option the City Council would not establish a work program for privately proposed amendments because the Commission has recommended to not advance the remaining proposal.
2. Move to adopt the 2019 annual Comprehensive Plan Amendment work program by some other combination of recommendations for the proposed plan amendment.

ATTACHMENTS & AVAILABLE DOCUMENTS

- A. Threshold Review Decision Criteria Part 20.30I.140 LUC
- B. Planning Commission Resolution for the Vision Zero for Gun Safety proposed plan amendment

AVAILABLE IN COUNCIL LIBRARY

N/A

¹<https://bellevuewa.gov/city-government/departments/community-development/planning-initiatives/comprehensive-plan/comprehensive-plan-amendments>