

Critical Areas Update for Consistency with GMA

CITY COUNCIL

AUGUST 1, 2016

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Council Action Requested:

Affirmation of Code Amendment Processing Direction

Staff Recommendation

- Direct staff to draft a critical areas code amendment that is narrowly tailored to address only topics necessary to comply with state law.
- Find it necessary for the City Council to hold the public hearing rather than forwarding to the Planning Commission.

GMA Requirements

RCW 36.70A.040

- Review and update Comprehensive Plan (adopted August 2015)
- Review regulations for consistency with GMA (Compliance Public Hearing April 2016)
- Finding of consistency made by City Council for all development regulations with the exception of critical areas (Resolution No. 9094, May 2016)

Rationale for Update:

- State and local interests in maintaining GMA.
- Requiring consistency of local critical areas regulations with GMA, ensures that communities are protecting environmental resources in a consistent manner state-wide based on a current understanding of the science.
- State uses funding eligibility as the mechanism to encourage jurisdictions to meet the GMA consistency requirement.

Status of Bellevue's CAO Update

- Consultant hired following passage of resolution finding Critical Areas Code Update necessary
- Consultant finalizing update to Best Available Science (BAS) and existing conditions reports
- Gap Analysis will be finalized based on comparison between the updated Comprehensive Plan, updated BAS and existing conditions report, and GMA requirements.

Next Steps

- Code Drafting based on BAS and Gap Analysis
- Public Outreach
- Staff Recommendation
- Presentation to City Council in study session
- Public Hearing on code amendments
- Adoption of required code amendments
- Public Hearing before the EBCC
- Transmit ordinance to Commerce for GMA compliance

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