

Design Review Approval Extension LUCA

Public Hearing

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February 26, 2024



Direction

Hold the public hearing on Ordinance Options A and B. Following the hearing, staff recommends that Council adopt Ordinance Option A.



Agenda



Background & Objectives



Current Code



Other Cities



Stakeholder Feedback



LUCA Options



Process & Decision Criteria



Background

March 13, 2023 (council initiation)

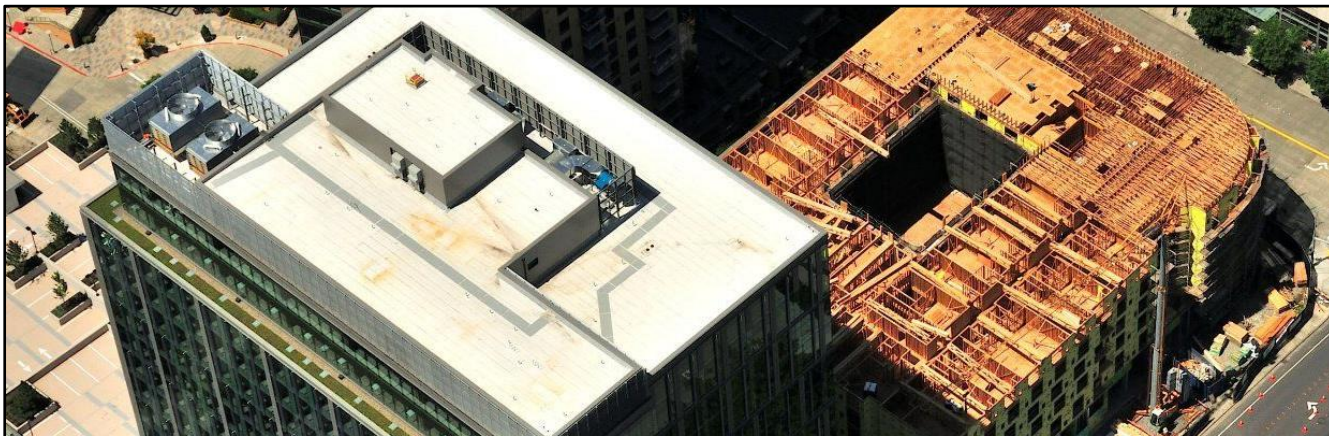
Nov. 6, 2023 (council study session)

- General support for the LUCA
- Questions relating to:
 - How Bellevue compares to other jurisdictions
 - How we can improve clarity and predictability around extension requests



Objectives

- Allow extensions to design review approvals
- Allow projects to adapt to unforeseen circumstances
- Minimize financial impact of expiring permits to property owners and the City
- Address concerns associated with projects not being required to comply with updated code



Current Code

- Design Review approvals expire pursuant to LUC 20.40.500
- No opportunity for extension

Type of Project	Effective Date	Duration	Required Actions
Design Review	Date of Approval	2 years	Submit complete building permit; maintain permit(s)



Comparison to Other Cities

Jurisdiction	Expiration	Total Period
Bellevue	2-year approval; no extension	2 years
Kirkland	5-year approval; no extension	5 years
Redmond	2-year approval; extension if hardship present	Unlimited, if hardship is present
Seattle	3-year approval; 2-year extension if project conforms to applicable codes	5 years



BDC Feedback

- Reinforced need for certainty in extension approval
- Expressed support for longer approval period
- General support from BDC for 3-year approval with 2-year extension



Additional Stakeholder Feedback

Additional Feedback Separate from BDC:

- Suggestions to improve clarity of draft LUCA
- Request for multiple 2-year extensions, without limit



Design Review Extension Options

Option	Approval Period	Extension Amount	Total Duration
Option A Recommended	3 years	2-years (up to 2 extensions)	7 years
Option B	Same	2-years (<u>unlimited</u> extensions)	<u>Unlimited</u>



Option A – Recommended LUCA

Approach:

- 3-year approval
- Up to 2, 2-year extensions when project conforms to applicable regulations
- **Maximum time: 7 years**

Considerations:

- Approval period and extensions are regionally competitive
- Balances flexibility for projects and transparency for public
- Generally supported by the BDC



Option B

Approach:

- 3-year approval
- Unlimited 2-year extensions when project conforms to applicable regulations
- **Maximum time:**
Unlimited

Considerations:

- Approval extensions far exceed neighboring jurisdictions
- Offers ultimate flexibility to projects; may result in less transparency for the public
- No input from the BDC
- Challenging to track and administer



LUCA Process

Process IV – City Council Legislative Actions

Action	Date
LUCA Initiated	March 13, 2023
City Council Study Session	November 6, 2023
BDC Meeting #1	November 15, 2023
BDC Meeting #2	January 10
City Council Public Hearing/Action	February 26



Decision Criteria

LUC 20.30J.135 establishes the decision criteria for LUCAs

- A. The amendment is consistent with the Comprehensive Plan
- B. The amendment enhances the public health, safety or welfare
- C. The amendment is not contrary to the best interests of the citizens and property owners of the City of Bellevue



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Option A Recommended	3 years	2-years (up to 2 extensions)	7 years
Option B	Same	2-years (<u>unlimited</u> extensions)	<u>Unlimited</u>

Direction

Hold the public hearing on Ordinance Options A and B. Following the hearing, staff recommends that Council adopt Ordinance Option A.

