

CITY COUNCIL REGULAR SESSION

Ordinance to amend sections 20.20.120, 20.20.140, 20.20.700, and 20.50.020 of the Land Use Code (LUC) to remove limitations on the number of unrelated persons that may occupy a dwelling unit, and amend LUC 20.30N.140, 20.50.044 and 20.50.046 for clarification and consistency; repealing Ordinance No. 6586; providing for severability; and establishing an effective date.

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EXECUTIVE SUMMARY

On October 25, after discussion in Study Session, Council directed staff to finalize this Ordinance for approval. Consistent with the Planning Commission recommendation, this Ordinance is a Land Use Code Amendment (LUCA) to remove residential occupancy limits for unrelated adults from the Land Use Code (LUC), as required per RCW 35A.21.314.

RECOMMENDATION

Move to adopt Ordinance No. 6616

BACKGROUND/ANALYSIS

Background

On October 25, the City Council reviewed the Planning Commission recommendation to adopt this LUCA without modification, including the Commission's conclusion that the LUCA complies with the decision criteria in LUC 20.30J.135. This Ordinance amends chapters 20.20, 20.30N, and 20.50 LUC to remove limitations on occupancy of unrelated persons within dwelling units and other residential uses. A final strike-draft of the LUCA is provided as Attachment A.

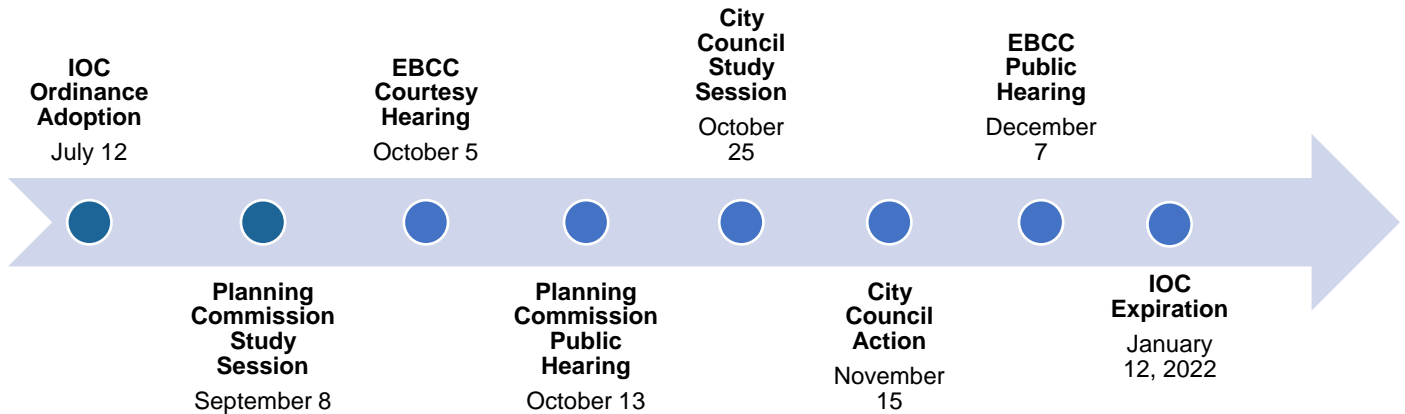
This LUCA is in direct response to the Washington State Legislature's enactment of Senate Bill (SB) 5235, which became effective on July 25. SB 5235 added a new RCW 35A.21.314 to prohibit cities from limiting occupancy for residential uses, except for those occupancy limits related to health or safety and those imposed for short-term or transient property rentals.

In order to bring the LUC into conformance with the RCW prior to the effective date of SB 5235, the City adopted an Interim Official Control (IOC), Ordinance No. 6586, on July 12 (Attachment B). This IOC remains in effect for six months, expiring in January 2022. Should Council adopt this LUCA Ordinance before the IOC expiration, the LUCA will replace and repeal the IOC.

During the October 25 study session, Council considered the LUCA process and components, as well as the existing regulations in place to protect the health, safety, and welfare of Bellevue residents. Council found that the existing regulations and code enforcement procedures are adequate to address concerns and potential impacts from the implementation of the LUCA. Following Council deliberation, Council directed staff to finalize an Ordinance for the LUCA, as drafted, for approval.

Review Process

The timeline below identifies the review process for this LUCA. If Council adopts the proposed LUCA, it will then be presented to the East Bellevue Community Council (EBCC) for approval or disapproval.



POLICY & FISCAL IMPACTS

Policy Impact

The LUCA is required for consistency with RCW 35A.21.314, which restricts cities from regulating or limiting the number of unrelated occupants within a dwelling unit.

Further, the Comprehensive Plan contains many references to increasing housing opportunities in Bellevue. This LUCA promotes housing affordability by increasing the housing stock available to unrelated individuals living in the City of Bellevue and by allowing individuals to share housing costs with others in a single dwelling. Thus, this LUCA is consistent with and supports the Comprehensive Plan's goals and policies related to housing affordability and opportunity.

Fiscal Impact

There is no fiscal impact associated with implementing these changes.

OPTIONS

1. Adopt the Ordinance to amend sections 20.20.120, 20.20.140, 20.20.700, and 20.50.020 of the Land Use Code (LUC) to remove limitations on the number of unrelated persons that may occupy a dwelling unit, and amend LUC 20.30N.140, 20.50.044 and 20.50.046 for clarification and consistency; repealing Ordinance No. 6586; providing for severability; and establishing an effective date.
2. Do not adopt the Ordinance and provide alternative direction to staff.

ATTACHMENTS & AVAILABLE DOCUMENTS

- A. LUCA Final Strike-Draft
- B. IOC Ordinance No. 6586
Proposed Ordinance No. 6616

AVAILABLE IN COUNCIL LIBRARY

N/A