

## CITY COUNCIL STUDY SESSION

Planning Commission recommendations on 2022 Annual Comprehensive Plan Amendments to: 1) incorporate policies in support of Curb Management into the Transportation Element and Downtown Subarea Plan; and 2) add policies to support Increasing Affordable Housing on Faith-Owned Properties.

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## DIRECTION NEEDED FROM COUNCIL

### DIRECTION

The City Council will review the proposed 2022 Annual Comprehensive Plan Amendments (CPAs). Planning Commission chair Carolyn Ferris will present the Commission's recommendations.

Following tonight's study session, provide direction on whether to return with Ordinances adopting the proposed 2022 Annual Comprehensive Plan Amendments and on the general Ordinance documenting the City's annual plan amendment process under the Growth Management Act.

## RECOMMENDATION

Direct staff to return with Ordinances adopting the proposed 2022 Annual Comprehensive Plan Amendments as recommended by the Planning Commission, including minor modifications recommended by staff, as well as the general documenting Ordinance.

## BACKGROUND & ANALYSIS

### Comprehensive Plan Amendment Process

On February 14, Council initiated a work program to amend policies in the Transportation Element and Downtown Subarea Plan in support of curb management as part of the 2022 Annual CPA work program. The Transportation Commission prepared a recommendation that included repealing existing policy, amending existing policy and adding new policy to establish a comprehensive approach to curb management and to create alignment with the forthcoming Curb Management Plan. The Transportation Commission's policy recommendations were forwarded to the Planning Commission for further review and public hearing.

On May 9, Council initiated work on the Affordable Housing Strategy (AHS) Action C-1, Phase 2, initiative to increase affordable housing potential on certain faith-owned properties in single-family land

use districts. This Action C-1, Phase 2, initiative includes a CPA as part of the 2022 annual CPA work program and a corresponding Land Use Code Amendment (LUCA) and rezone if the CPA is adopted.

After thorough study, notice, and Final Review public hearings, the Planning Commission recommends **approval** of these Annual CPAs as outlined below:

- The Planning Commission recommends by a 4-1 vote that the City Council adopt the amended CPAs to the Transportation Element and Downtown Subarea Plan in support of a comprehensive approach to curb management. The Commission found that the application satisfies all Land Use Code decision criteria for Final Review of a Comprehensive Plan Amendment (LUC 20.30I.150).
- The Planning Commission recommends by a 5-0 vote that the City Council adopt the CPAs to support AHS Action C-1, Phase 2, to increase affordable housing potential on certain faith-owned properties in single-family land use districts. The Commission found that the application satisfies all Land Use Code decision criteria for Final Review of a Comprehensive Plan Amendment (LUC 20.30I.150).

### **Public Hearing**

The Planning Commission held Final Review public hearings on September 14. Notice of the public hearing was published in the Weekly Permit Bulletin and in the Seattle Times on August 25. The Planning Commission received public testimony on the CPAs as follows:

- Amendments related to incorporating policies on curb management into the Transportation Element and Downtown Subarea Plan: 12 speakers addressed this proposal.
  - Three speakers spoke in strong support of advancing the proposed amendments, with most advising that the CPA process move forward at this time to support the Curb Management Plan proposal currently underway.
  - Nine speakers spoke against advancing proposed amendments, with most advising that the CPA process be delayed so additional information can be collected.
- Increasing Affordable Housing on Faith-Owned Properties (AHS C-1, Phase 2) amendment: 16 speakers addressed this proposal.
  - Nine speakers spoke in strong support of advancing the proposed amendments noting the need for additional affordable housing in the City, the opportunity this amendment opens for increasing supply, and how eligible properties with access to jobs, transportation and good schools would help address systemic injustices.
  - Two speakers voiced general support with the overall policy approach noting the need for additional affordable housing within the City, but voiced concerns that the proposal was not going far enough to address affordability issues affecting existing residents.
  - Five speakers spoke against advancing the proposed amendments, with most advising that the CPA process be delayed so additional analysis and engagement could be carried out, questioning potential impacts to local traffic and schools from specific eligible properties, potential impacts to property taxes, and noting the lack of awareness of neighboring residents and limited opportunities to learn more and provide feedback.

Written comment provided for the Final Review public record included letters commenting on the CPA proposals along with staff responses, all of which are available on the CPA [webpage](#).

Eight letters were received on the amendments relating to incorporating policies on curb management into the Transportation Element and Downtown Subarea Plan.

A total of 38 letters were received on the AHS C-1, Phase 2, amendments, with eight letters in support of the application, 18 opposed expressing concerns related to impacts on traffic, schools, neighborhood character, property values, tree canopy, and time for public review and comment, and 11 with neutral questions or comments related to the proposal.

### **Planning Commission Discussion**

The Planning Commission discussed each of the amendments during the September 14 public meeting.

Commissioners briefly discussed the policy guidance and framework proposed by the CPA relating to curb management. Most Commissioners felt that the policy language provided a solid foundation to advance the Curb Management Plan, which is under development by the Transportation Commission. Commissioners also approved a staff recommendation that addressed public feedback and previous comments from the Planning Commission. During discussion, staff presented rationale for the recommended changes to several policies. The staff recommendations included removing references to the “Curb Management Plan” within the body of some policy lines, as well adding a new policy (NEW-8) which directs development of said Curb Management Plan. Staff noted these changes reduced confusing references to a Curb Management Plan document that is currently under development and hasn’t been approved or adopted yet.

In addition to the Commission-approved policies, staff recommends that Council consider minor policy changes to two policies related to curb pricing and curbside activation (NEW-2 and NEW-7). The minor modifications clarify language that appears to be too prescriptive for the Comprehensive Plan. The staff-proposed modifications are listed in the right-hand column of Attachment B. Detailed implementation recommendations for these elements will be established within the Curb Management Plan, which is anticipated to be completed in 2023.

Commissioners voiced unanimous support for the Action C-1, Phase 2, amendments noting that it is one of many strategies the City is taking to address housing affordability and that if no action is taken, housing affordability will worsen. They also responded to public comments regarding impacts to transportation by focusing on a balance between jobs, housing and transportation infrastructure and noting that support for businesses and transit use will increase where there is more housing and proximity of services. They felt the proposed CPA was a step in the right direction. While Commissioners were glad to see several people participating in the public hearing, they were concerned that many people giving testimony had just learned about the proposal and felt they needed more information to fully understand how the amendment could impact their communities. Commissioners recommended staff address the public’s questions on the project webpage with a Frequently Asked Questions section.

## POLICY & FISCAL IMPACTS

### Policy Impact

#### Comprehensive Plan

The Growth Management Act states that comprehensive plans may be amended no more frequently than once per year (with limited exceptions) so that the cumulative effect of the proposals can be considered.

#### State Environmental Policy Act

The Environmental Coordinator for the City of Bellevue determined that the 2022 Annual Comprehensive Plan Amendment work program will not result in any probable, significant adverse environmental impacts. A final threshold Determination of Non-Significance (DNS) was issued on August 25 for the AHS C-1, Phase 2, CPA and September 8 for the curb management-related CPA.

#### Final Review Decision Criteria for Comprehensive Plan Amendments

The Planning Commission may recommend, and the City Council may adopt, or adopt with modifications, an amendment to the Comprehensive Plan if all the Final Review Decision Criteria from Section 20.30I.150 of the Land Use Code are met:

- A.1 There exists obvious technical error in the pertinent Comprehensive Plan provision; or
- B.1 The proposed amendment is consistent with the Comprehensive Plan and other goals and policies of the City, the Countywide Planning Policies (CPP), the Growth Management Act, and other applicable law; and
- B.2 The proposed amendment addresses the interests and changed needs of the entire City as identified in its long-range planning and policy documents; and
- B.3 The proposed amendment addresses significantly changed conditions since the last time the pertinent Comprehensive Plan map or text was amended. See LUC 20.50.046 (below) for the definition of “significantly changed conditions”; and  
**Significantly changed conditions are defined as:** Demonstrating evidence of change such as unanticipated consequences of an adopted policy or changed conditions on the subject property or its surrounding area, or changes related to the pertinent Plan map or text; where such change has implications of a magnitude that need to be addressed for the Comprehensive Plan to function as an integrated whole. This definition applies only to Part 20.30I Amendment and Review of the Comprehensive Plan (LUC 20.50.046); and
- B.4 If a site-specific proposed amendment, the subject property is suitable for development in general conformance with adjacent land use and the surrounding development pattern, and with zoning standards under the potential zoning classifications; and
- B.5 The proposed amendment demonstrates a public benefit and enhances the public health, safety, and welfare of the City.

### Fiscal Impact

This item has no fiscal impact.

## **OPTIONS**

1. Direct staff to return with Ordinances adopting or denying the 2022 Annual Comprehensive Plan Amendments for curb management and the AHS C-1, Phase 2, initiative as recommended by the Planning Commission, including minor modifications recommended by staff, as well as the general documenting Ordinance.
2. Direct staff to return with Ordinances adopting or denying the 2022 Annual Comprehensive Plan Amendments for curb management and the AHS C-1, Phase 2, initiative as recommended by the Planning Commission, as well as the general documenting Ordinance.
3. Provide alternative direction to staff.

## **ATTACHMENTS**

- A. Planning Commission Resolution for curb management policy changes
- B. Proposed changes to the Transportation Element and Downtown Subarea Plan
- C. Planning Commission Resolution for AHS C-1, Phase 2
- D. Proposed changes to the Housing Element and Land Use Map
- E. AHS Action C-1 Qualifying Sites Map

## **AVAILABLE IN COUNCIL LIBRARY**

Application file materials – Curb Management CPA

Staff recommendations - Curb Management CPA

Public comments - Curb Management CPA

Application file materials – C-1 Phase 2 CPA

Staff recommendations – C-1 Phase 2 CPA

Public comments – C-1 Phase 2 CPA