

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. [Abstract]

AN ORDINANCE to amend Land Use Code (LUC) Chapter 20.20 General Development Requirements, Chapter 20.25 Special and Overlay Districts, and Chapter 20.50 Definitions to establish lower minimum residential parking requirements for certain developments in areas with frequent transit service; providing for severability; and establishing an effective date.

WHEREAS, the City adopted the Affordable Housing Strategy (AHS) in 2017, recognizing the housing crisis in the Puget Sound region and the City; and

WHEREAS, AHS Policy C-5 recommends lowering the costs to building affordable housing in order to produce more affordable housing units and deepen the level of affordability with measures such as reduced parking requirements; and

WHEREAS, AHS Policy D-1 recommends revising City codes and processes to reduce costs for building multi-family housing; and

WHEREAS, the City of Bellevue Comprehensive Plan Policies HO-17 and LU-15 encourage housing opportunities throughout the City and support a range of housing choices for different household types and income levels; and

WHEREAS, the City of Bellevue Comprehensive Plan Policies HO-7 and HO-26 encourage the development of affordable housing through incentives and other tools; and

WHEREAS, in March 2020 and in order to increase urban housing supply in the state, the Washington State Legislature enacted SHB 2343, codified as RCW 36.70A.620; and

WHEREAS, RCW 36.70A.620, which became effective on June 11, 2020, caps the minimum residential parking requirements for specific residential uses that are located within one-quarter mile of a transit stop and receive a minimum amount of transit service per hour that cities like Bellevue can impose; and

WHEREAS, in June 2020 and in order to encourage the creation of accessory dwelling units as a means to address the need for additional affordable housing options, the Washington State Legislature enacted ESSB 6617, codified as RCW 36.70A.698; and

WHEREAS, RCW 36.70A.698 provides that cities like Bellevue, effective July 1, 2021, may not require the provision of off-street parking for accessory dwelling units within one-quarter mile of a major transit stop; and

WHEREAS, the Washington State Legislature, in enacting SHB 2343 and ESSB 6617, recognized that providing parking spaces in an urban setting reduced the affordability of housing units and, potentially, the ability to include more housing units in a residential development; and

WHEREAS, the Washington State Legislature, in enacting SHB 2343 and ESSB 6617, also recognized that access and close proximity of residential units to frequent transit service reduced the number of parking spaces needed for those units; and

WHEREAS, Chapter 3.64.070 of the Bellevue City Code and Chapter 20.35.410 of the Land Use Code establish the powers and duties of the Planning Commission to act in an advisory capacity to the City Council by holding public hearings, advising, and making recommendations to the City Council on land use ordinances and regulations to implement the comprehensive plan; and

WHEREAS, the Planning Commission held study sessions on January 13, 2021 and January 27, 2021 to discuss this Land Use Code amendment to establish lower minimum residential parking requirements for certain developments in areas with frequent transit service; and

WHEREAS, the Environmental Coordinator for the City of Bellevue determined that this text amendment to the Land Use Code will not result in any probable, significant, adverse impact and issued a final threshold determination of non-significance on February 4, 2021; and

WHEREAS, after providing legally-required public notice, the Planning Commission held a public hearing on February 24, 2021 for this Land Use Code amendment; and

WHEREAS, the Planning Commission, after holding the required public hearing, recommended that the City Council approve this Land Use Code amendment; and

WHEREAS, the City Council finds that this Land Use Code amendment meets the decision criteria of LUC 20.30J.135 and is consistent with the Comprehensive Plan, enhances the public safety and welfare, and is not contrary to the best interest of the citizens and property owners of the City of Bellevue, as more completely analyzed in the Staff Report dated February 24, 2021; now, therefore,

**THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES
ORDAIN AS FOLLOWS:**

Section 1. Section 20.20.120.B.5 of the Bellevue Land Use Code is hereby amended to read as follows:

- 5. There shall be one off-street parking space provided for the accessory dwelling unit, which is in addition to any off-street spaces required for the primary residence, except when the property has frequent transit service as provided in LUC 20.20.590.L.1.

Section 2. Section 20.20.590.F.1 of the Bellevue Land Use Code is hereby amended to add a new reference to subsection L, to add a new citation to note 3 to listing m – Residential and listing p – Senior Housing, and to add a new note 3, to read as follows:

20.20.590 Parking, circulation and walkway requirements.

...

F. Minimum/Maximum Parking Requirement by Use.

- 1. Specified Uses. Subject to subsections G, H, and L of this section, the property owner shall provide at least the minimum and may provide no more than the maximum number of parking stalls as indicated below:

	Use	Minimum Number of Parking Spaces Required	Maximum Number of Parking Spaces Allowed
...			
m.	Residential (3):		
	Single-family detached	2:unit	No max.
	Multiple unit structure:		
	One-bedroom or studio unit	1.2:unit	No max.
	Two-bedroom unit	1.6:unit	No max.
	Three or more bedroom unit	1.8:unit	No max.
...			
p.	Senior housing (3):		
	Nursing home	0.33:bed	1:bed
	Congregate care senior housing	0.5:unit	1.5:unit
	Senior citizen dwelling	0.8:unit	1.5:unit

	Use	Minimum Number of Parking Spaces Required	Maximum Number of Parking Spaces Allowed
...			

nsf = net square feet (See LUC 20.50.036).

Notes: Minimum/Maximum Parking by Use:

...

(3) See LUC 20.20.590.L for affordable housing, market rate multifamily dwellings, and senior housing minimum parking standards when these residential uses are located near frequent transit service.

...

Section 3. Section 20.20.590 of the Bellevue Land Use Code is hereby amended to add a new section L as follows:

L. Minimum Parking for Residential Uses with Frequent Transit Service.

1. Applicability.
 - a. For Affordable Housing, frequent transit service shall be defined as:
 - i. Within one-quarter mile of a transit stop that receives transit service at least two times per hour for twelve or more hours per day; or
 - ii. Within one-half mile of a transit stop that receives transit service at least four times per hour for twelve or more hours per day; or
 - iii. Within one-half mile of a future light rail or bus rapid transit station scheduled to begin service within two years.
 - b. For Market Rate Multifamily Dwelling and Senior Housing, frequent transit service shall be defined as:
 - i. Within one-half mile of a transit stop that receives transit service at least four times per hour for twelve or more hours per day; or
 - ii. Within one-half mile of a future light rail or bus rapid transit station scheduled to begin service within two years.
 - c. For Accessory Dwelling Units, frequent transit service shall be defined as:

- i. Within one-quarter mile of a transit stop that receives transit service at least four times per hour for twelve or more hours per day; or
 - ii. Within one-quarter mile of a future light rail or bus rapid transit station scheduled to begin service within two years.
- d. Except in the case of future light rail or bus rapid transit, frequent transit service availability shall be considered based on scheduled transit service available on the date that a fully complete Building Permit application is filed or land use approval is final. The Director of the Development Services department shall specify the submittal requirements necessary to provide documentation of transit service availability.
- e. Where other sections in the Land Use Code provide for lower minimum parking standards for the specified uses in this section, the lower standards shall apply.
- f. If the use is located in an area where physical impediments would require pedestrians to walk more than one-half mile to the nearest frequent transit stop, the Director of the Development Services Department may determine that the location does not meet the definition of frequent transit service.
2. Standards.

Use	Minimum Number of Parking Spaces Required
Affordable Housing with frequent transit service (Transit service at least two times per hour)	0.75:unit
Affordable Housing (Service at least four times per hour)	0.50:unit (1)
Market Rate Multifamily Dwelling	0.75:unit
Senior Housing	0:bed or unit (2)

(1) The minimum requirement for up to and including one bedroom apartment units available to households earning 60 percent or less than the median income as determined by the United States Department of Housing and Urban Development for the Seattle Metropolitan Statistical Areas is 0.25 spaces per unit. An agreement in a form approved by the City shall be executed by the applicant and recorded with the King County Recorder’s Office, or its successor organization, requiring the affordable housing to remain for the life of

the project. This agreement shall be a covenant running with the land, binding on the assigns, heirs, and successors of the applicant.

- (2) Parking shall be required only for staff and visitors per the existing use standards of the specific land use district. The Director of the Development Services Department may consider the criteria in LUC 20.20.590.F.2.a – c in establishing alternative parking requirements for staff and visitors.

Section 4. Section 20.25A.080.B of the Bellevue Land Use Code is hereby amended to add a new reference to subsection L, to add a new citation to note 7 to listing k – Residential and listing o – Senior Housing, and to add a new note 7, to read as follows:

20.25A.080 Parking standards.

...

B. Minimum/Maximum Parking Requirement by Use – Specified Uses.

This subsection supersedes LUC 20.20.590.F.1. Subject to LUC 20.20.590.H and L, the property owner shall provide at least the minimum and may provide no more than the maximum number of parking stalls as indicated below unless modified pursuant to applicable departure allowances contained in this section:

Downtown Parking Requirements

		Downtown Land Use Districts			
Land Use	Unit of Measure	-O-1, -O-2		-R, -MU, -OB, -OLB	
		Min.	Max.	Min.	Max.
...					
k. Residential (6)	per unit	0	2.0	1.0 (5) (7)	2.0
...					
o. Senior Housing (7): Nursing Home Senior Citizen Dwelling or Congregate Care	per patient bed	0.4	0.8	0.4	0.8
	per living unit	0	1.0	0.33	1.0

nsf = net square feet (see LUC 20.50.036)

Notes to Parking Requirements:

- ...
- (6) Visitor parking shall be provided in residential buildings at a rate of one stall per 20 units, but in no case shall the visitor parking be less than one stall. For Affordable Housing and Market Rate Multifamily Dwelling uses with frequent transit service, the required visitor parking per unit shall be proportionately reduced for a combined number of resident and visitor parking per unit to not exceed a parking ratio of 0.75:unit.
 - (7) See LUC 20.20.590.L for affordable housing, market rate multifamily dwelling, and senior housing minimum parking standards when these residential uses are located near frequent transit service.

Section 5. Section 20.25D.120.A.1 of the Bellevue Land Use Code is hereby amended to add a new reference to subsection L, to read as follows:

- 1. General. The provisions of LUC 20.20.590.C, E, G, H, I, K, and L apply to development in the BR Land Use Districts in addition to the provisions contained in this section.

Section 6. Table 20.25D.120.B.2 – Parking Standards for BelRed of the Bellevue Land Use Code is hereby amended to add a new citation to note 8 to listing g – Residential, to listing k – Senior housing: Nursing home, and to listing l – Senior housing: Senior citizen dwelling or congregate care; and to add a new note 8, to read as follows:

Table 20.25D.120.B.2. Parking Standards for BelRed (6) (7)

		MO-1, OR-1, OR-2, RC-1, RC-2, RC-3		MO, OR, RC, CR, GC, R, ORT			
Use		Unit of Measure		Min.	Max.	Min.	Max.
...							
g.	Residential (5)	Per unit		0.75	2.0	1.0 (8)	2.0
...							
k.	Senior housing: Nursing home (8)	Per patient bed		0.25	0.75	0.25	1.0

			MO-1, OR-1, OR-2, RC-1, RC-2, RC-3		MO, OR, RC, CR, GC, R, ORT	
Use		Unit of Measure	Min.	Max.	Min.	Max.
I.	Senior housing: Senior citizen dwelling or congregate care (8)	Per living unit	0.25	1.0	0.5	1.25
...						

Notes applicable to parking standards for BelRed (Chart 20.25D.120.B.2):

...

(8) See LUC 20.20.590.L for affordable housing, market rate multifamily dwelling, and senior housing minimum parking standards when these residential uses are located near frequent transit service.

Section 7. Section 20.25P.080.A.1 of the Bellevue Land Use Code is hereby amended to add a new reference to subsection L, to read as follows:

1. General. The provisions of LUC 20.20.590.C, E, G, H, I, K, and L apply to development in the EG TOD Land Use District in addition to the provisions contained in this section.

Section 8. Chart 20.25P.080.B.2 – Parking Standards for Eastgate Transit Oriented Development Land Use District of the Bellevue Land Use Code is hereby amended to add a new citation to note 8 to listing k – Senior housing: Nursing home and listing I – Senior housing: Senior citizen dwelling or congregate care, and to add a new note 8, to read as follows:

Chart 20.25P.080.B.2 Parking Standards for Eastgate Transit Oriented Development Land Use District (6) (7)

			EG-TOD	
Use		Unit of Measure	Min.	Max.
...				
g.	Residential	Per unit	0.75 (5)	2.0
...				
k.	Senior housing: Nursing home (8)	Per patient bed	0.25	0.75
l.	Senior housing: Senior citizen dwelling or congregate care (8)	Per living unit	0.25	1.0

Use	Unit of Measure	EG-TOD	
		Min.	Max.
...			

Notes applicable to parking standards for EG-TOD (Chart 20.25P.080.B.2):

(8) See LUC 20.20.590.L for minimum parking standards when senior housing is located near frequent transit service.

Section 9. Section 20.50.046 of the Bellevue Land Use Code is hereby amended to add a new Senior Housing definition, to read as follows:

20.50.046 S definitions.

Senior Housing. See Senior Citizen Dwelling.

Section 10. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this Ordinance.

Section 11. Effective Date. This Ordinance shall take effect and be in force five (5) days after adoption and legal publication.

Passed by the City Council this _____ day of _____, 2021 and signed in authentication of its passage this _____ day of _____, 2021.

(SEAL)

Lynne Robinson, Mayor

Approved as to form:

Kathryn L. Gerla, City Attorney

Matthew McFarland, Assistant City Attorney

Attest:

Charmaine Arredondo, City Clerk

Published: _____