

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Ordinance imposing an interim official control regarding the permit process required to establish a homeless shelter and identifying the Land Use Districts where a homeless shelter may be permitted; providing for severability; and establishing an effective date.

FISCAL IMPACT

No fiscal impact is expected. The application of this Interim Official Control amending the Land Use Code (LUC) will be administered by land use staff during review of permit applications.

STAFF CONTACTS

Carol Helland, Code & Policy Director, 452-2724
Patricia Byers, Code Development Manager, 452-4241
Development Services Department

Mac Cummins, Director, 452-6191
Terry Cullen, Comprehensive Planning Manager, 452-4070
Planning and Community Development Department

POLICY CONSIDERATION

Should the City Council adopt an Interim Official Control that amends the LUC to subject homeless shelters to the Conditional Use provisions specified in LUC Part 20.30B and to the general development requirements for land use districts where homeless shelters are currently permitted?

This Interim Official Control does not permit a shelter use to be located in any land use district where such use is not currently allowed. Because this is an Interim Official Control, a public hearing will be required within 60 days of the enactment of this Ordinance in order to remain in effect. Permanent regulations will be prepared during the effective period of this Ordinance.

DIRECTION NEEDED FROM COUNCIL

ACTION



DIRECTION



INFORMATION ONLY



BACKGROUND

The City Council Vision Priorities direct the City to work with regional partners to establish an Eastside permanent winter homeless shelter to be ready for the winter of 2018/19. This priority is consistent with the Council’s Diversity Advantage Plan, which includes an action item “supporting the establishment of a year-round homeless shelter on the Eastside.”

As part of the priority to establish a permanent men’s shelter on the Eastside, the City Council determined that it is necessary and appropriate to amend the LUC to provide additional clarity

regarding the shelter use. Specifically, the City Council has identified the need for clarity in the LUC regarding how shelter use is identified, regulated, and where in the City a shelter use is currently allowed. The community has also raised concerns to Council concerning the regulation of homeless shelters under the LUC.

Under the LUC, shelter use is regulated as part of the “Hotel/Motel” use category and through the permit process identified for establishment of a Hotel/Motel use. A shelter use is currently allowed by the LUC in the following land use districts:

- Eastgate Transit Oriented Development (EG-TOD);
- Office/Limited Business and Office/Limited Business 2 (OLB/OLB 2);
- Community Business (CB);
- Factoria Land Use Districts 1, 2 and 3;
- All downtown land use districts; and
- The following BelRed land use districts – medical office, office/residential; residential/commercial, general commercial, and commercial/residential.

A map depicting the locations of these land use districts citywide is included with this memorandum as Attachment A.

The City Council has expressed a desire to provide consistency in the land use code related to permitting a homeless shelter use in all districts where Hotel/Motel use is allowed, and to impose upon shelter uses the Conditional Use provisions specified in LUC Part 20.30B and the general development requirements applicable in the land use districts where homeless shelters are currently permitted. This Interim Official Control accomplishes the Council objectives identified above.

This Interim Official Control does not permit shelter use in land use districts where such use is not currently allowed. Instead, the Interim Official Control responds to the City Council’s direction to provide clarity regarding the shelter use in the short-term while permanent citywide regulations regarding the shelter use are being prepared. Permanent LUC amendments necessary to impose the permit process required to establish a homeless shelter and identifying the Land Use Districts where a homeless shelter is permitted will be evaluated by Council over the coming six month period.

Notice and a public hearing are not necessary prior to enactment of an Interim Official Control, so the regulations can be put in place quickly. However, a public hearing must be held within 60 days of its adoption. In addition, the Growth Management Act, RCW 36.70A.390, states that this Interim Official Control may be effective for six (6) months. If necessary, the Interim Official Control may be renewed for one or more six (6) month periods if a subsequent public hearing is held and findings of fact are made prior to each successive renewal.

EFFECTIVE DATE

If adopted, this Ordinance becomes effective on August 17, 2017.

OPTIONS

1. Adopt the Ordinance imposing an interim official control regarding the permit process required to establish a homeless shelter and identifying the Land Use Districts where a

homeless shelter may be permitted; providing for severability; and establishing an effective date.

2. Do not adopt the Ordinance and provide alternative direction to staff.

RECOMMENDATION

Option 1

MOTION

Move to adopt Ordinance No. 6368 imposing an interim official control regarding the permit process required to establish a homeless shelter and identifying the Land Use Districts where a homeless shelter may be permitted; providing for severability; and establishing an effective date.

ATTACHMENTS

A. Land Use Map - Hotel and Motel Use Permitted in The City of Bellevue

B. Strike Draft IOC Homeless Shelter

Proposed Ordinance No. 6368

AVAILABLE IN COUNCIL DOCUMENT LIBRARY

N/A