

Supportive Housing and Emergency Shelter LUCA **Attachment E-3**
Councilmember Barksdale Proposed Amendments to Planning Commission
Recommendation – Option 2

20.10.440 Land use charts.

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Residential – Residential Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	R-7.5*	R-10	R-15	R-20	R-30
1	Residential											
	Single-Family Dwelling (3)	P	P	P	P	P	P	P	P	P	P	P
	Two to Four Dwelling Units per Structure (6)	PD	P	P	P	P						
	Five or More Dwelling Units per Structure (6)	PD	P	P	P	P						
...												
	Hotels and Motels											
...												
	<u>Supportive Housing (18)</u>	<u>P</u>										

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Residential – Nonresidential Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB	NMU	CB	F1	F2	F3
1	Residential												
	Single-Family Dwelling (3)	P 15	P 1	S		S	S	P 8		S	S	S	S
	Two to Four Dwelling Units Per Structure (6)		P 1	P	P			P 8	P 8, 11	P 6	P	P	P

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB	NMU	CB	F1	F2	F3
	Five or More Dwelling Units Per Structure (6)		P 1	P	P			P 8	P 8, 11	P 6	P	P	P
...													
13 15	Hotels and Motels			P	P				P	C	C	P	P
...													
	<u>Supportive Housing (18)</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>			<u>P 8</u>	<u>P 8, 11</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Emergency Housing (19)</u>			<u>P</u>	<u>P</u>				<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

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Notes: Uses in land use districts – Residential:

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(8) These residential uses are permitted in NB and NMU Districts only if located on the second floor and above the permitted ground floor nonresidential uses.

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(11) The Director may allow a departure from the requirement to provide ground floor neighborhood serving (nonresidential) uses in multifamily developments; provided, that the departure is necessary to mitigate an economic hardship that would preclude project viability. A departure may be granted where the applicant demonstrates that:

- (a) The required neighborhood serving uses do not front on an arterial;

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(b) Visual and physical access to the required neighborhood serving uses is limited by topography or other site-specific obstacles; and

(c) The required neighborhood serving uses would not be visible from other development located in the NMU District, adjacent neighborhoods, nearby arterials or highways.

A departure may be allowed for all sides of the building or some portion thereof; provided, that the approved departure is consistent with the NMU Land Use District definition included in the Comprehensive Plan and LUC 20.10.350. If a departure is granted, ancillary residential uses such as a meeting room, leasing office, kitchen, daycare and work-live space are preferred over occupied residential living space.

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(18) Supportive Housing, as defined in LUC 20.20.845.C.2, may be permitted when meeting the requirements in LUC 20.20.845 and as provided below.

- a. In Single Family Land Use District (R-1 to R-7.5), the Supportive Housing development shall comply with all standards and requirements applicable to single family residential use in the underlying Single Family Residential Land Use District.
- b. In Multifamily Residential Land Use Districts (R-10 to R-30), the Supportive Housing development shall comply with all standards and requirements applicable to multifamily residential use in the underlying Multifamily Residential Land Use District.
- c. In Nonresidential Land Use Districts, Supportive Housing development shall comply with all standards and requirements applicable to residential use in the underlying Land Use District.

(19) Emergency Housing, as defined in LUC 20.50.018, shall comply with all standards and requirements applicable to residential use in the underlying Land Use District.

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Services – Nonresidential Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB (16)	NMU	CB	F1	F2	F3
6	Services												
...													
	Homeless Services Uses (32)			C	C		C		C	C	C	C	C

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20.20.010 Uses in land use districts dimensional requirements.

Chart 20.20.010 Uses in land use districts – Dimensional Requirements

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Uses in land use districts – Dimensional Requirements

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB	NMU	CB	F1	F2	F3
	DIMENSIONS	(21)	(21)	(21)	(21)	(21)	(21)	(21)	(21)	(21)	(28)	(21, 31)	(21, 32)

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office PO	Office O	Office/Limited Business OLB	Office/Limited Business 2 OLB 2	Light Industry LI	General Commercial GC	Neighborhood Business NB	Neighborhood Mixed Use NMU	Community Business CB	Factoria Land Use District 1 F1	Factoria Land Use District 2 F2	Factoria Land Use District 3 F3
...													
	Dwelling Units per Acre (15) (22) <u>(52)</u> <u>(53)</u>	10 (23)	20 (23)	30 (23)				15 (23)		30 (23)		30 (23)	30 (23)
...													

Notes: Uses in land use districts – Dimensional requirements:

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(52) This requirement is not applicable to Supportive Housing, as defined pursuant to LUC 20.20.845.C.2.

(53) This requirement is not applicable to Emergency Housing, as defined pursuant to LUC 20.50.018.

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20.20.455 Homeless services uses.

B. Applicability. This section applies to all proposals for new or expanding homeless services uses as defined in this section. This section does not apply to:

1. Temporary public safety facilities permitted under the terms of LUC 20.20.850. This includes but is not limited to Overnight Shelter: Emergency/Temporary as defined in LUC 20.50.038. These facilities are needed to respond to an unforeseen situation or emergency and are not governed by the terms of this section.

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C. Definitions

1. Use Definitions

a. Homeless Services Use. Refers to the collection of service uses defined in this subsection and established for the purpose of providing ongoing services to people experiencing homelessness. Homeless Services Use includes Emergency Shelter under RCW 36.70A.030(10), now or as hereafter amended, but does not include Overnight Shelter: Emergency/Temporary as defined in LUC 20.50.038.

b. Day Services Center. A facility that offers a haven to people experiencing homelessness by providing a safe place to rest during the day. Support services for homeless populations is an integral part of a day services center use and includes but is not limited to access to food, seating, showers, laundry, restrooms, storage, a computer lab, phones, fax and a critical mailing address. Spaces for meetings and examinations are generally provided to accommodate counseling and access to medical/dental and legal assistance. Day Services Centers do not provide overnight accommodations.

~~c. Overnight Shelter: Emergency/Temporary. Refer to LUC 20.50.038 for this definition. These facilities are not governed by the terms of this section.~~

~~dc.~~ Overnight Shelter: Permanent. Any facility that is constructed for the primary purpose of providing shelter for people experiencing homelessness in general or for specific populations of people experiencing homelessness. Supportive services may or may not be provided in addition to the provision of shelter.

~~d. Emergency Housing – Transient. Indoor accommodation for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency Housing – Transient is residential occupancy for a period of less than 30 days.~~

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20.20.845 Supportive Housing.

A. Purpose.

The purpose of this section is to provide regulations for the permitting of Supportive Housing that is proposed to provide housing to individuals and families experiencing, or are at imminent risk of, homelessness and on-site or off-site supportive services.

B. Applicability.

1. This section applies to all new or expansion of Supportive Housing, as defined in this section.
2. Exceptions. The noticing and registration requirements in subsections E and F of this section do not apply to:
 - a. Supportive Housing facilities with permanent on-site supportive services as a subordinate use, pursuant to LUC 20.50.046 and LUC 20.20.840, provided the provision of supportive services is limited only to the residents of the facility; or
 - b. Supportive Housing facilities with no permanent on-site supportive services; or
 - c. Supportive Housing facilities with the primary purpose of serving individuals participating in the Washington State Address Confidentiality Program under RCW 40.24.030 and Chapter 434-840 WAC.
3. For the purpose of subsection B.2 of this section, staff who permanently reside in the Supportive Housing facility shall not be considered permanent on-site supportive services.

C. Definitions.

- ~~1. Emergency Housing – Non-Transient. Indoor accommodation for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency Housing – Non-Transient is residential occupancy for a period of 30 days or more.~~
12. Supportive Housing. Residential facilities intended to house individuals and families experiencing homelessness, or at imminent risk of homelessness, and paired with on-site or off-site supportive services designed to maintain long-term or permanent tenancy, or to eventually transition the residents to independent living arrangements. This definition includes ~~Emergency Housing – Non-Transient~~, Permanent Supportive Housing as defined under RCW 36.70A.030, now or as hereafter amended, and Transitional Housing as defined under RCW 84.36.043, now or as hereafter amended.
23. Supportive Services. Services provided to occupants of Supportive Housing for the purpose of facilitating their independence or ensuring long-term housing stability. Supportive Services may include, but are not limited to, services such as case management, medical treatment, psychological counseling, childcare, transportation, and job training.

D. Use Requirements.

1. Common kitchen facility shall be provided on-site for Supportive Housing that does not have an individual kitchen in each Supportive Housing room or unit.
2. The following requirements apply to Supportive Housing in Single-Family Land Use Districts (R-1 to R-7.5):
 - a. Alterations to the interior or exterior of the structure which change its single-family residential appearance or character shall not be permitted, except that any alterations to improve accessibility per the Americans with Disabilities Act shall be permitted.
 - b. Supportive services administered on site shall only be available to residents of the facility.

E. Registration Required.

1. Required Notice for Supportive Housing:
 - a. Where notice of application is required pursuant to Chapter 20.35 LUC, the notice of application shall also include the information in subsection E.1.c of this section.
 - b. Where notice of application is not required pursuant to Chapter 20.35 LUC, a mailed notice of registration shall be distributed to owners of real property within 500 feet of the subject site, and the notice shall include the information in subsection E.1.c of this section.
 - i. When a building permit is required for any alterations to the structure intended for Supportive Housing, the mailed notice shall be distributed at the time of permit issuance.
 - ii. When no permits are required prior to establishment of the Supportive Housing use, the notice shall be mailed following submittal of the required Registration Notice pursuant to subsection E.2 of this section.
 - c. The following information shall also be included in the notice of application for a proposed Supportive Housing:
 - i. Location and description of the Supportive Housing facility, including the number of residents intended to be housed in the facility; and
 - ii. The types of City permit(s) and/or approval(s) required for the facility, if applicable; and

iii. Contact information of property manager(s) and/or owner(s).

2. No less than 14 days prior to establishing a Supportive Housing use, a person or company intending to provide Supportive Housing shall file a Registration Notice with the Development Services Department. The Registration Notice shall be submitted in writing in a form approved by the Director. At minimum, the Registration Notice shall include the following information:

a. Name and contact information of property manager(s) and/or owner(s) who may be contacted in case of emergency or code violations;

b. Name and contact information for on-site facility staff (if applicable);

c. Standard operating procedures plan for the facility, including:

i. The number of residents intended to be housed in the facility; and

ii. A description of the supportive services provided to the residents of the facility, on-site and off-site, including names and contact information of service providers.

d. A safety and security plan describing measures that the operator will employ to promote the safety of Supportive Housing occupants and surrounding residents; and

e. A code of conduct that applies to all individuals granted access to the proposed Supportive Housing use.

3. The registration information described in subsections E.2.a through E.2.c shall be kept up to date with the Development Services Department. Any change to this required information shall be submitted to Development Services on a revised registration form. No additional notice shall be required upon submittal of a revised registration form.

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20.25A.050 Downtown Land Use Charts

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D. Use Charts

The following charts apply to Downtown. The use charts contained in LUC 20.10.440 do not apply within the Downtown Land Use Districts.

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Residential – Downtown Land Use Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office 1	Downtown Office 2	Downtown Mixed Use	Downtown Residential	Downtown Old Bellevue	Downtown Office and Limited Business
		DT-O-1	DT-O-2	DT-MU	DT-R	DT-OB	DT-OLB
	Two or More Dwelling Units Per Structure	P	P	P	P	P	P
...							
13	Hotels and Motels	P	P	P	P	P	P
...							
	<u>Supportive Housing (3)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
	<u>Emergency Housing (4)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

Notes: Uses in Downtown Land Use Districts – Residential:

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(3) Supportive Housing, as defined in LUC 20.20.845.C.2, may be permitted when meeting the requirements in LUC 20.20.845. The Supportive Housing shall comply with all standards and requirements applicable to residential use in the underlying Land Use District.

(4) Emergency Housing, as defined in LUC 20.50.018, shall comply with all standards and requirements applicable to residential use in the underlying Land Use District.

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20.25D.070 Land Use Charts.

The following charts apply to BelRed. The use charts contained in LUC 20.10.440 do not apply within the BelRed land use districts.

Chart 20.25D.070 Residential Uses in BelRed Land Use Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Residential – BelRed Districts						
		BelRed Medical Office/Node	BelRed Office Residential/Nodes	BelRed Residential Commercial Nodes	BelRed Residential	BelRed General Commercial	BelRed Commercial Residential	BelRed Office Residential Transition
		BR-MO/ MO-1	BR- OR/ OR-1 OR-2	BR- RC-1 RC-2 RC-3	BR-R	BR-GC	BR-CR	BR- ORT
1	Residential (1)							
	Single-Family Dwelling		P 2/		P 2	3	P 2	P
	Two to Four Dwelling Units Per Structure		P/P	P	P	3	P 2	P
	Five or More Dwelling Units Per Structure (5)		P/P	P	P	3	P 2	P
...								
13 15	Hotels and Motels	P/P	P/P	P		P	P	
...								
	<u>Supportive Housing</u>	<u>P/P 7</u>	<u>P/P 7</u>	<u>P 7</u>	<u>P 7</u>	<u>P 7</u>	<u>P 7</u>	<u>P 7</u>
	<u>Emergency Housing</u>	<u>P/P 8</u>	<u>P/P 8</u>	<u>P 8</u>		<u>P 8</u>	<u>P 8</u>	

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Notes: Uses in land use districts – Residential:

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(7) Supportive Housing, as defined in LUC 20.20.845.C.2, may be permitted when meeting the requirements in LUC 20.20.845. The Supportive Housing development shall comply with all standards and requirements applicable to residential use in the underlying Land Use District.

(8) Emergency Housing, as defined in LUC 20.50.018, shall comply with all standards and requirements applicable to residential use in the underlying Land Use District.

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20.25F.010 Permitted land uses.

A. The following chart, entitled Evergreen Highlands Permitted Land Uses, indicates the permitted land uses and required review procedure for each use within each performance area:

Evergreen Highlands Permitted Land Uses

Land Use	Performance Area			
	EH-A	EH-B	EH-C	EH-D
Single-family detached	P			
Two – four dwelling units per structure	P			
Five or more dwelling units per structure	A			
...				
Extended stay hotel (11)				P
...				
<u>Supportive Housing</u>	<u>P 13</u>			<u>P 13</u>
<u>Homeless Services Uses (14)</u>				<u>C</u>
<u>Emergency Housing (15)</u>				<u>P</u>
...				

(13) Supportive Housing, as defined in LUC 20.20.845.C.2, may be permitted when meeting the requirements in LUC 20.20.845. The Supportive Housing development

shall comply with all standards and requirements applicable to residential use in the underlying Land Use District.

(14) A homeless services use requires approval of a Conditional Use Permit unless the City Council agrees to negotiate a development agreement. Refer to LUC 20.20.455.D.

(15) Emergency Housing, as defined in LUC 20.50.018, shall comply with all standards and requirements applicable to residential use in the underlying Land Use District.

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20.25F.040 Site and design requirements.

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B. Site Requirements.

The following chart sets forth the dimensional and site requirements for each performance area in the Evergreen Highlands Design District. Each structure, development or activity in the district must comply with these requirements.

Site Requirements	Performance Area			
	EH-A	EH-B	EH-C	EH-D
1. Maximum Number of Dwelling Units Per Gross Acre <u>(11)</u> <u>(12)</u>	11	N/A	N/A	N/A

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(11) This requirement is not applicable to Supportive Housing, as defined pursuant to LUC 20.20.845(C)(2).

(12) This requirement is not applicable to Emergency Housing, as defined pursuant to LUC 20.50.018.

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20.25L.020 Permitted land uses.

The following chart indicates the permitted land uses within the OLB-OS Land Use District.

Land Use	Process
Hotels and Motels	P
...	
<u>Supportive Housing (19)</u>	<u>P</u>
<u>Homeless Services Uses (20)</u>	<u>C</u>
<u>Emergency Housing (21)</u>	<u>P</u>

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(19) Supportive Housing, as defined in LUC 20.20.845.C.2, may be permitted when meeting the requirements in LUC 20.20.845.

(20) A homeless services use requires approval of a Conditional Use Permit unless the City Council agrees to negotiate a development agreement. Refer to LUC 20.20.455.D.

(21) Emergency Housing, as defined in LUC 20.50.018, shall comply with all standards and requirements applicable to residential use in the underlying Land Use District.

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20.25P.050 Land Use Chart.

The following charts apply to EG-TOD. The use charts contained in LUC 20.10.440 do not apply within the EG-TOD.

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Chart 20.25P.050 Residential Uses in Eastgate Transit Oriented Development Land Use District

STD LAND USE CODE REF	Residential – Eastgate Transit Oriented Development Land Use District	Eastgate Transit Oriented Development Land Use District
	LAND USE CLASSIFICATION	EG-TOD
1	Residential	
	Single-Family Dwelling	
	Two to Four Dwelling Units Per Structure	P

STD LAND USE CODE REF	Residential – Eastgate Transit Oriented Development Land Use District	Eastgate Transit Oriented Development Land Use District
	LAND USE CLASSIFICATION	EG-TOD
	Five or More Dwelling Units Per Structure	P
...		
13 15	Hotels and Motels	P
...		
	<u>Supportive Housing</u>	<u>P⁴</u>
	<u>Emergency Housing</u>	<u>P⁵</u>

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Notes: Uses in Eastgate Transit Oriented Development Land Use District – Residential

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(4) Supportive Housing, as defined in LUC 20.20.845.C.2, may be permitted when meeting the requirements in LUC 20.20.845. The Supportive Housing development shall comply with all standards and requirements applicable to residential use in the underlying Land Use District.

(5) Emergency Housing, as defined in LUC 20.50.018, shall comply with all standards and requirements applicable to residential use in the underlying Land Use District.

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20.25Q.050 Permitted Uses

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D. Use Charts.

The following use chart applies to the East Main Transit Oriented Development Districts.

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Chart 20.25Q.050.D Uses in East Main Transit Oriented Development Districts			
Std Land Use Code Ref	Land Use Classification	TOD-H	TOD-L
...			
	Two or More Dwelling Units Per Structure	P	P
...			
13	Hotels and Motels	P	P
...			
	<u>Homeless Services Uses (36)</u>	<u>C</u>	<u>C</u>
	<u>Supportive Housing (37)</u>	<u>P</u>	<u>P</u>
	<u>Emergency Housing (38)</u>	<u>P</u>	<u>P</u>

Notes: Uses in East Main Land Use Districts

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(36) A homeless services use requires approval of a Conditional Use Permit unless the City Council agrees to negotiate a development agreement. Refer to LUC 20.20.455.D.

(37) Supportive Housing, as defined in LUC 20.20.845.C.2, may be permitted when meeting the requirements in LUC 20.20.845. The Supportive Housing development shall comply with all standards and requirements applicable to residential use in the underlying Land Use District.

(38) Emergency Housing, as defined in LUC 20.50.018, shall comply with all standards and requirements applicable to residential use in the underlying Land Use District.

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20.50.018 E definitions.

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Emergency Housing. Temporary indoor accommodations for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency housing may or may not require occupants to enter into a lease or an occupancy agreement.

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