



DATE: December 7, 2021

TO: Chair Hummer and Members of the East Bellevue Community Council

FROM: Trisna Tanus, Consulting Attorney  
Caleb Miller, Senior Planner  
*Development Services Department*

SUBJECT: Public Hearing and Action – Residential Occupancy Land Use Code Amendment

## **I. Introduction**

On December 7, the East Bellevue Community Council (EBCC) will hold a public hearing and take action on Ordinance No. 6616 amending the Land Use Code (LUC) Chapters 20.20.120, 20.20.140, 20.20.700, and 20.50.020 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 LUC 20.50.046 for clarification and consistency with state law.

## **II. Discussion**

### **A. Background**

On November 15, the City Council adopted Ordinance No. 6616, a Land Use Code Amendment (LUCA) to remove limitations on the number of unrelated people residing within a dwelling (Attachment A). The Ordinance amended chapters 20.20, 20.30N, and 20.50 LUC (Attachment B). The LUCA directly responded to recent state legislation adopted under Senate Bill (SB) 5235, which added a new section, RCW 35A.21.314, to prohibit cities from limiting or regulating the number of unrelated people residing in a single dwelling unit.

### **B. Code Amendment Review Process**

The Planning Commission reviewed this LUCA at a single study session on September 8, followed by a public hearing on October 13. Following the public hearing, the Planning Commission concluded that the LUCA complied with the decision criteria in LUC 20.30J.135 and recommended to the City Council adoption of the LUCA without modification.

The EBCC was introduced to the LUCA at a courtesy hearing on October 5, during which EBCC members discussed potential impacts related to traffic, parking, and property maintenance. The EBCC submitted their meeting notes and provided testimony summarizing their discussion to the Planning Commission for consideration at the October 13 public hearing.

On October 25, the City Council reviewed the LUCA and the Planning Commission's recommendation for adoption without modification. The City Council subsequently adopted the LUCA under Ordinance No. 6616 on November 15.

The EBCC is now being asked to hold a public hearing and approve or disapprove Ordinance No 6616 by resolution. Notice of the public hearing before the EBCC was provided in the Weekly Permit Bulletin on November 24 and the Seattle Times on November 30.

**C. EBCC Jurisdiction**

The EBCC jurisdictional area contains primarily residential land use districts, as shown in the map of land use districts in the EBCC (Attachment C).

**III. Comprehensive Plan**

LUC 20.30J.135 establishes the decision criteria for an application to amend the text of the Land Use Code, which include a requirement for consistency with the Comprehensive Plan. Those criteria, and the relationship of this LUCA to them, are discussed in the staff report (Attachment D).

**III. Action requested of the EBCC**

Following tonight's public hearing, the EBCC is requested to adopt Resolution No. 597 approving City Council Ordinance No. 6616.

Staff will be present at the December 7 public hearing to answer any questions the EBCC may have. If there are questions before this meeting, please contact Caleb Miller, 452-4574 or at [cwmiller@bellevuewa.gov](mailto:cwmiller@bellevuewa.gov).

**ATTACHMENTS:**

- A. Ordinance No. 6616
- B. Strike-Draft of LUCA
- C. EBCC Land Use Districts Map
- D. LUCA Staff Report