



Bellevue Planning Commission

A Resolution of the Planning Commission

April 27, 2022

Supportive and Emergency Housing Land Use Code Amendment Recommendation

| AYE | NAY | ABSENT | |
|---------------------------------------------------------------------------------------------------------------|-----|--------|-----------------------------|
| X | | | Mohammad Malakoutian, Chair |
| X | | | Carolynn Ferris, Vice-Chair |
| X | | | Vishal Bhargava |
| X | | | Karol Brown |
| X | | | Craighton Goepppele |
| X | | | Radhika Moolgavkar |
| X | | | Anne Morisseau |
| On the motion of: Craighton Goepppele | | | |
| Seconded by: Radhika Moolgavkar | | | |
| The following resolution was adopted: Supportive and Emergency Housing Land Use Code Amendment (21-111195-AD) | | | |

WHEREAS, in 2021, the Washington State Legislature enacted House Bill (HB) 1220, codified as RCW 35A.21.430, which requires cities like Bellevue to allow development of permanent supportive housing and transitional housing in all land use districts where residential dwellings and/or hotels are allowed; and

WHEREAS, RCW 35A.21.430 also requires cities like Bellevue to allow emergency housing and indoor emergency shelter in all land use districts where hotels are allowed; and

WHEREAS, through this state mandate, the City was required to regulate permanent supportive housing and transitional housing consistent with RCW 35A.21.430 on July 25, 2021, and the City was required to regulate emergency housing and indoor emergency shelter consistent with RCW 35A.21.430 by September 30, 2021; and

WHEREAS, the City of Bellevue Land Use Code (LUC) currently does not define or regulate permanent supportive housing or transitional housing as distinct land uses; and

WHEREAS, existing permanent supportive and transitional housing providers, as well as potential permit applicants for these uses, require a clear pathway for establishing such uses that is consistent with RCW 35A.21.430; and



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WHEREAS, the definition of “Homeless Services Use” in LUC 20.20.455.C.1.a is consistent with the definition for “emergency housing” as codified in the Growth Management Act, chapter 36.70A RCW (GMA); and

WHEREAS, the definition of “Overnight Shelter: Permanent” in LUC 20.20.455.C.1.d is consistent with the definition for “emergency shelter” as codified in the GMA; and

WHEREAS, the City of Bellevue LUC currently prohibits Homeless Services Uses in the Evergreen Highlands D, Neighborhood Mixed Use, and Office and Limited Business – Open Space Land Use Districts; and

WHEREAS, the City of Bellevue LUC currently allows hotels and motels in the Evergreen Highlands D, Neighborhood Mixed Use, and Office and Limited Business – Open Space Land Use Districts; and

WHEREAS, RCW 35A.21.430 requires that the City allow emergency housing and indoor emergency shelter in Evergreen Highlands D, Neighborhood Mixed Use, and Office and Limited Business – Open Space Land Use Districts, to the extent that the City allows hotel and motel uses in those districts; and

WHEREAS, on July 12, 2021, the City Council adopted Ordinance No. 6585, which imposed an Interim Official Control to bring the City of Bellevue into immediate compliance with state law with respect to local regulation of permanent supportive housing, transitional housing, emergency housing, and indoor emergency shelter uses identified in RCW 35A.21.430 and the GMA; and

WHEREAS, the Bellevue City Council initiated processing of permanent development regulations on August 2, 2021; and

WHEREAS, on December 13, 2021, the City Council adopted Ordinance No. 6637, which extended the duration of the Interim Official Controls established under Ordinance No. 6585 by an additional six months, expiring July 12, 2022; and

WHEREAS, Comprehensive Plan Policy LU-15 directs the City to provide, through land use regulation, the potential for a broad range of housing choices to meet the changing needs of the community; and

WHEREAS, Comprehensive Plan Policy HO-38 recommends supporting regional efforts to prevent homelessness through the provision of a range of affordable housing options, and to support efforts to move homeless persons and families to long-term financial independence; and

WHEREAS, Comprehensive Plan Policy HS-18 recommends supporting an intentional local community response to homelessness with housing and supportive services provided to families, youth, and single adults; and

WHEREAS, Section 3.64.070 Bellevue City Code and section 20.35.410 Land Use Code establishes 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



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WHEREAS, the Planning Commission held three study sessions on September 8, 2021 September 22, 2021 and December 8, 2021, to discuss the LUC amendment regarding permanent supportive housing, transitional housing, emergency housing, and emergency shelter; and

WHEREAS, the Environmental Coordinator for the City of Bellevue determined that this text amendment to the LUC will not result in any probable, significant, adverse impact and issued a final threshold determination of non-significance on January 20, 2022; and

WHEREAS, after providing legally-required public notice, the Planning Commission held a public hearing on February 9, 2022, for the supportive and emergency housing land use code amendment; and

WHEREAS, the Planning Commission held two additional study sessions on February 23, 2022, and April 27, 2022, to further discuss and refine the LUC amendment regarding permanent supportive housing, transitional housing, emergency housing, and emergency shelter; and

WHEREAS the Planning Commission finds that the proposed amendments meet the decision criteria of LUC 20.30J.135 and are consistent with the Comprehensive Plan, enhance the public safety and welfare, and are not contrary to the best interest of the citizens and property owners of the City of Bellevue; now, therefore,

THE PLANNING COMMISSION RECOMMENDS TO THE CITY COUNCIL THAT IT ADOPTS THE SUPPORTIVE AND EMERGENCY HOUSING LAND USE CODE AMENDMENT (FILE NO. 21-111195-AD).

Handwritten signature of Mohammad Malakoutian in black ink.

4-27-2022

Mohammad Malakoutian, Chair

Date

Handwritten signature of Thara Johnson in black ink.

4-27-2022

Thara Johnson, staff liaison

Date