



TO: Mayor Stokes, Deputy Mayor Chelminiak, members of Council

FROM: Mary Kate Berens  
Deputy City Manager

DATE: August 7, 2017

SUBJECT: Council Packet Information

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On Monday night several items are on the Council Agenda related to the Eastgate Land Use Code amendment (LUCA), and city regulations related to shelters and safe injection sites. These items are intended to be considered as a package of actions that collectively address the Council's direction and discussion on July 24. At the July 24 meeting, and in prior meetings on these topics, the Council expressed interest in:

- Completing the work of the Eastgate/I-90 planning project, which requires both adoption of an ordinance amending the Land Use Code to create the new land use districts envisioned for Eastgate, as well as a legislative rezone ordinance that applies those new districts to properties in the area;
- Commencing a separate amendment process to improve how the City's Land Use Code regulates homeless shelters; and
- Banning Community Health Engagement Locations (also called safe injection sites) city-wide.

A brief description of each of the actions proposed is described below, with additional detail included in each of the separate agenda memos that follow. On Monday night we plan a staff presentation and Council discussion that will be a global discussion of all of the actions, followed by sequential action on the four items to accomplish the overall direction.

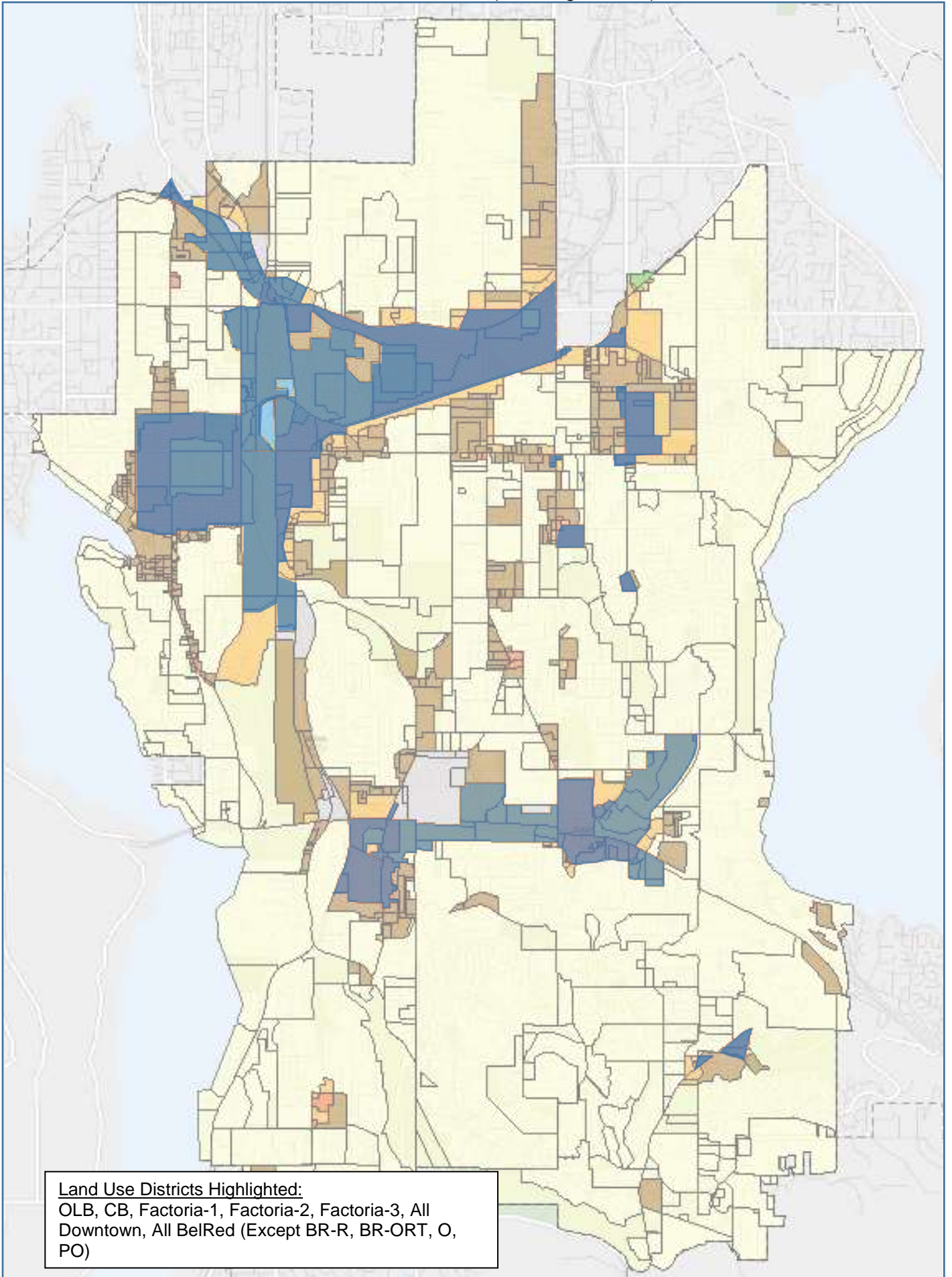
The agenda items for your consideration are:

- 1. Eastgate Land Use Code Amendment (LUCA).** This includes the land use code amendments recommended by the Planning Commission; transportation amendments in response to citizen concerns; affordable housing incentives, low impact development standards and flexibility in neighborhood mixed use (NMU) zoning districts; and removes shelter related amendments in consideration of a citywide approach. The Ordinance:
  - Recommends an Affordable Housing Ratio;
  - Implements phasing of development to disperse transportation impacts over time;
  - Provides flexibility for development in the neighborhood mixed use districts;

- Adopts low impact development standards; and
  - Separates the homeless shelter from Eastgate land use code amendments and allows for shelter use to be addressed by uniform citywide emergency ordinance (see Imposing Interim Official Control #3 below).
- 2. Associated Eastgate Legislative Rezone.** This step applies the new land use districts described in the City’s Comprehensive Plan for the area, and created in the code with the above ordinance to specific properties in Eastgate.
- 3. Interim Official Control to amend the Land Use Code regarding homeless shelter.** This item would impose a Conditional Use Permit (CUP) process along with general development requirements in the land use districts where shelter use is currently allowed. The Council expressed an interest in improving transparency in the code around this use, which is currently embedded in the line regulating hotels and motels, as well as ensuring equity across land use districts while additional changes to regulations around shelters are considered by the Council.
- Separates the “homeless shelter” use from the “hotel/motel” use where it is currently embedded and creates a consistent land use code approach to permitting shelter uses in those land use districts where the code currently allows them (see attached map);
  - Provides clarity in the permitting process in the short term while permanent citywide regulations are being prepared;
  - Imposes an Interim Official Control, which is an emergency ordinance that Council can implement for 6 months with the option to extend, on homeless shelter use; and
  - Requires a public hearing within 60 days of adoption.
- 4. Interim Official Control to amend the Land Use Code banning safe injection sites in Bellevue.** The Ordinance:
- Creates a citywide prohibition of Community Health Engagement Locations (CHELs), also known as safe injection sites;
  - Provides clarity in the short term while permanent citywide regulations are being prepared;
  - Considers an emergency ordinance that Council can implement for 6 months, with the option to extend; and
  - Requires a public hearing within 60 days of adoption.

It is important to note that none of the above actions is a decision to site a homeless shelter on a specific site. The above actions are responsive to community and Council interests in increasing transparency in the City’s regulations.

Land Use Districts Where Hotel and Motel Use Permitted (including shelters)



Land Use Districts Highlighted:  
OLB, CB, Factoria-1, Factoria-2, Factoria-3, All  
Downtown, All BelRed (Except BR-R, BR-ORT, O,  
PO)