

**CITY COUNCIL STUDY SESSION ITEM**

**SUBJECT**

Update on schedule for interim and permanent shelter permitting amendments to the Land Use Code (LUC).

**STAFF CONTACTS**

Carol Helland, Code and Policy Director, 452-2724  
Trisna Tanus, Legal Planner, 452-2970  
*Development Services Department*

**POLICY ISSUES**

The Interim Official Control (IOC) currently in effect requires issuance of a Conditional Use Permit (CUP) under the terms of Part 20.30B LUC and compliance with the general development requirements of the LUC to establish a homeless shelter in Bellevue. The IOC has been effective for almost six months, and is scheduled to expire on February 6. The public hearing necessary to extend the IOC for an additional six months is scheduled for January 22. Permanent regulations will be prepared while the extended IOC remains in effect.

**DIRECTION NEEDED FROM COUNCIL**

**ACTION**



**DIRECTION**



**INFORMATION ONLY**



Information tonight will focus on the code amendment work accomplished to-date on homeless related issues, and the 2018 schedule for completion of interim and permanent shelter permitting amendments to the LUC.

**BACKGROUND**

The City Council has been pursuing a comprehensive response to homelessness issues in Bellevue which began with the adoption of Comprehensive Plan policies in 2015. The response has included code changes as well as a range of non-code related activities. This agenda memo summarizes the code related work accomplished to-date, and proposes the 2018 schedule for completion of interim and permanent LUC amendments needed to address shelter definition and permitting requirements.

On July 24, 2017, Council initiated a suite of changes to the City Code as part of its comprehensive response to homelessness issues, and retained responsibility for reviewing and holding required public hearings necessary to adopt the desired regulations. As part of this process, Council identified potential code amendments and commenced additional research on a variety of topics, including:

1. Safe injection sites (also referred to as Community Health Engagement Locations),
2. Permitting requirements applicable to permanent shelter uses citywide, and
3. Controlling negative impacts associated with car and RV camping.

The City Council adopted two emergency ordinances (referred to as Interim Official Controls) on August 7, 2017. Ordinance No. 6368 adopted an IOC amending the LUC to clarify how shelter uses are identified and regulated, and where in the City shelter use is permitted. Ordinance No. 6369 adopted an IOC to ban Safe Injection Sites citywide. Under state law, these emergency ordinances remain in place for a period of six months and can be extended for additional six month increments if a public hearing is held. The purpose of these emergency ordinances was to provide an interim regulatory structure while permanent regulations are discussed and developed.

The City Council held the public hearings required for the IOCs to remain in effect on September 25, 2017, at which time Council directed staff to prepare a ban on Safe Injection Sites for final adoption at a future meeting. Thereafter, Council adopted Ordinance No. 6376 banning Safe Injection Sites citywide, together with all associated activities aimed at facilitating the use of illicit drugs. This ban is now codified into the LUC and is no longer an interim regulation.

On October 23, 2017, the City Council considered three proposed amendments to the Bellevue City Code aimed at mitigating the negative impacts associated with car and RV parking. These amendments provided limitations on long term parking, prohibited dumping of waste in storm sewers, and regulated public camping.

On November 20, 2017, following additional outreach to stakeholder groups, the City Council adopted three Ordinances to address the negative impacts associated with car and RV camping in Bellevue. Specifically, Ordinance No. 6383 prohibited any vehicle from being parked on the same block in the City for more than 24 consecutive hours. Ordinance No. 6384 made it unlawful to dispose of sewage to any public street, park property, storm water system or surface water body. Ordinance No. 6385 expanded the prohibition on public camping to include all City-owned property and public easements.

In addition to the code amendments described above, a public hearing is scheduled for January 22 in order to extend the existing shelter permitting IOC for an additional six months. If the IOC is extended for six months following the public hearing, it will remain in effect until August 6. Staff has developed the following schedule (including some code review assumptions) that would facilitate completion and adoption of permanent citywide regulations for shelter permitting before the IOC expires.

Proposed Schedule

<b>Schedule</b>	<b>Council Meeting Engagement/Action</b>
February	Study Session/Confirmation of Scope and Direction
March / April	Study Session/Review Draft Code and Set Public Hearing
May	Study Session/ Review Refined Code and Set Public Hearing (If necessary)
May/June	Public Hearing on Proposed Amendments to the LUC Final Direction on Proposed Amendments to the LUC
July/August*	Adopt Amendments to the LUC

*\*If permanent regulations are not adopted by August 6, Council will need to decide whether to hold another public hearing to extend the IOC for an additional 6 months.*

Public Notice of the Permanent Regulations

A LUC amendment requires that Notice of Application, which in this case includes review under the State Environmental Policy Act, be placed in the Weekly Permit Bulletin and sent to all individuals who have subscribed to receive the Bulletin. In addition to the standard requirements for advertising City-wide code amendments, staff intends to include notification to everyone who has signed up to receive notifications regarding the homeless shelter discussion. Information regarding these permanent regulations will also be posted on the City's web page devoted to code amendment news and will be linked to the City's web page regarding homelessness.

Because the City Council is taking the lead role in developing final regulations, public engagement will take place through the Council meeting process. Public comment will be available at each Council meeting, and interested parties will also have the ability to submit written comments to Council and to staff. All comments will be made a part of the official file for the code amendment. Finally, a public hearing will be required after the final provisions are confirmed. Notice of that hearing will be provided as required by the LUC, as well as to everyone who receives notice of the application and anyone who requests notice during the process.

Budget Fiscal/Impact

The requested code amendment work can be undertaken with current staff resources in the Code and Policy Division of the Development Services Department. No budget for external consultant services is needed or requested. This effort would use staff resources currently dedicated to East Main Station Area, Wilburton Subarea, BelRed Lookback and the Affordable Housing Strategy Code Amendments. Whether this shelter permitting code work would displace or elongate schedules for other in-process code work is dependent on the scope of the amendment ultimately directed by the City Council.

**OPTIONS**

N/A

**RECOMMENDATION**

N/A

**ATTACHMENTS**

A. Land Use Districts where homeless shelters are permitted under the IOC

**AVAILABLE IN COUNCIL DOCUMENT LIBRARY**

N/A