



Shelter Land Use Code Amendment Policy Discussion

Bellevue City Council
July 2, 2018



Meeting Objectives

- Provide Direction to Staff on Council-suggested amendments to the Homeless Services Uses LUCA.
- Finalize the Homeless Services Uses Draft Ordinance in preparation for final adoption.



Shelter Permitting LUCA Review Plan

- ✓ **March 5:** Endorse Shelter Permitting LUCA Review Schedule
- ✓ **March 7 – April 7:** Conduct public engagement to inform LUCA Drafting
- ✓ **April 23:** Introduce initial Draft Shelter Permitting LUCA
- ✓ **May 7:** Discuss Policy Topics
 - Why and What:** Purpose, Applicability and Definitions
 - Permitting Process:** Approval Process, Submittal Materials and Good Neighbor Agreement Advisory Process
- ✓ **May 21:** Discuss Policy Topics
 - Remaining Topics from May 7 -**
 - Where and How:** Use Charts, Development Standards/Use Requirements and Design Guidelines
- ✓ **June 11:** Hold Public Hearing
- ✓ **June 25:** Consider Council-Suggested Amendments
- July 2:** Consider Council-Suggested Amendments, finalize draft ordinance



Council-Suggested Changes

Draft Homeless Shelter Permitting LUCA
June 25, 2018

ATTACHMENT B-1
1. Staff Support (Lee)

Homeless Services Uses LUC 20.20.455

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G. Good Neighbor Agreement Process Required
This section describes the required Good Neighbor Agreement Advisory Committee process.

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2. ~~Facilitation and Staff Support and GNA Membership and Commitment Composition.~~

a. ~~Facilitation Staff Support.~~ Following submittal of Pre-Application Materials pursuant to LUC 20.20.455.E.1, the ~~City Director shall designate a staff person constitute a team of staff to work with the GNA Advisory Committee. The Director shall consult with department heads in relevant City departments to identify staff that will represent the City in a neutral matter (free of self-interest) and meet the below-described skill and/or subject matter expertise may be identified to represent more than one staff person~~

i. ~~A staff member~~ who will act as neutral facilitator for the Advisory Committee.

ii. ~~Up to one~~ staff person with subject matter expertise from the Community Services department of the City.

iii. ~~Up to one~~ staff person with subject matter expertise from the Bellevue Police Department.

iv. ~~Up to one~~ staff person with subject matter expertise from the Bellevue Fire Department.

Draft Homeless Shelter Permitting LUCA
June 25, 2018 (Included in June 18 Packet)

ATTACHMENT D-1
1. Public Hearing Draft with Clarifications (Chelminiak)

Homeless Services Uses LUC 20.20.455

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D. Approval Process Required

Two Process Options. Applications for a Homeless Services Use governed by the terms of this section LUC 20.20.455 shall be processed pursuant to one of the following options.

1. Use and Design Allowed through a Development Agreement. [A Homeless Services Use requires approval of a Conditional Use Permit pursuant to paragraph 2 below unless the City Council agrees to negotiate a development agreement.](#) The City Council may by resolution accept or decline to negotiate a development agreement that would allow a Homeless Services Use to be established and constructed in Bellevue pursuant to the provisions of Chapter 36.70B RCW and this section 20.20.455 LUC. Nothing in this paragraph shall preclude an applicant from requesting the Director to initiate processing of their application under the Conditional Use Permit provisions of Part 20.30B of this section without requesting the City Council to consider negotiation of a development agreement.
2. Use and Design Allowed through a Conditional Use Permit. [A Homeless Services Use requires approval of a Conditional Use Permit unless the City Council agrees to negotiate a development agreement pursuant to the process and decision criteria contained in paragraph 1 above and LUC 20.20.455.E.4 below.](#) Where the City Council has not adopted a resolution to initiate negotiation of a development agreement to allow a Homeless Services Use to be established and constructed in Bellevue, a Conditional Use Permit approval is required.

Draft Homeless Shelter Permitting LUCA
June 25, 2018

ATTACHMENT E-10
10. Pre-App Materials Clarification (Zahn)

Homeless Services Uses LUC 20.20.455

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E. Pre-application Process and Determination of Permit Approval Path Required

1. Pre-application Materials. Shall be submitted to the Development Services Department pursuant to LUC 20.35.020 before a permit application for a Homeless Services Use may be filed. Materials shall include:
 - a. Name of the Operator;
 - b. [Statement of experience running/operating the type of Homeless Services Uses that is proposed;](#) and
 - c. Statement of homeless population to be served and occupancy target for each Homeless Services Use proposed.

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Amendment Language Approved (6/25) *Will Be Published for review (7/9)*

1. Attachment E (**green sheets**)

Additional Amendment Language

E-11 Staff will develop language related to Code of Conduct submittal requirements that would clarify that requirements apply to the immediate vicinity of a shelter. Proposed language will be published in the July 9 agenda packet for review, and will be discussed on July 16.

2. Attachment C (**goldenrod sheets**)

Buffers and Separation Requirements



Permitting Process

Homeless Services Uses Permitting

Processing Decision by Council
LUC 20.20.455.E

Development Agreement (DA)

Conditional Use Permit (CUP)

Public Review Components

Public Review Components

Public Notice
1,000 Foot Mailing
Public Meeting

DA or CUP Application
(LUC 20.20.455.H)

Public Notice
1,000 Foot Mailing
Public Meeting

GNA Advisory
Committee Meetings

GNA Advisory
Committee Meetings

Director Recommendation

Director Recommendation

City Council PH/Decision

Hearing Ex PH/Decision

Appeal to Superior Court

Appeal to City Council

Approval Process (Attachment D)

Suggested Changes – Permitting Process Path Alts

Alternative	Pre-Ap Comm Mtg	Public Meeting	Public Hearing	Decision-maker		Appeal	
				CC	HE	Sp Crt	CC
Public Hearing Draft (CUP or DA)	✓	✓	✓	DA	CUP	DA	CUP
1. CUP or DA (Chelminiak)	✓	✓	✓	DA	CUP	DA	CUP
2. ACUP or DA (Chelminiak/Robinson)	✓	✓	ACU – no DA - yes	ACU – Director DA		ACU – HE DA	
3. HE CUP or DA (Chelminiak)	✓	✓	✓	DA	CUP	DA & CUP	
4. CUP Only (1 mtg) (Chelminiak)		✓	✓	HE		CC	
5. CUP Only (2 mtgs) (Robertson/Nieuwenhuis)	✓	✓	✓	HE		CC	

GNA Advisory Committee

Committee Purpose

- Represent Stakeholder Interest
- I.D. issues of importance early
- Consider the context of the proposed shelter and provide advice on design
- Collaborate with operator to create a communication and engagement plan with community
- Build a sense of community
- Provide advice to permit decision maker



GNA Advisory Committee (LUCA Draft)

Public Hearing Draft – Member Composition

- 5 residents within ½ mile
- 1 resident at-large (Council Appointed)
- 1 staff persons from Parks and Community Services
- 1 staff persons from Police
- 1 staff person from Fire
- 1 person designated by the School District
- 3 business representatives
- 1 staff person from government or NGO
- 1 Operator representative
- 1 Provider representative
- 1 Funder representative
- 1 individual with experience with homelessness



GNA Advisory Committee (Attachment B)

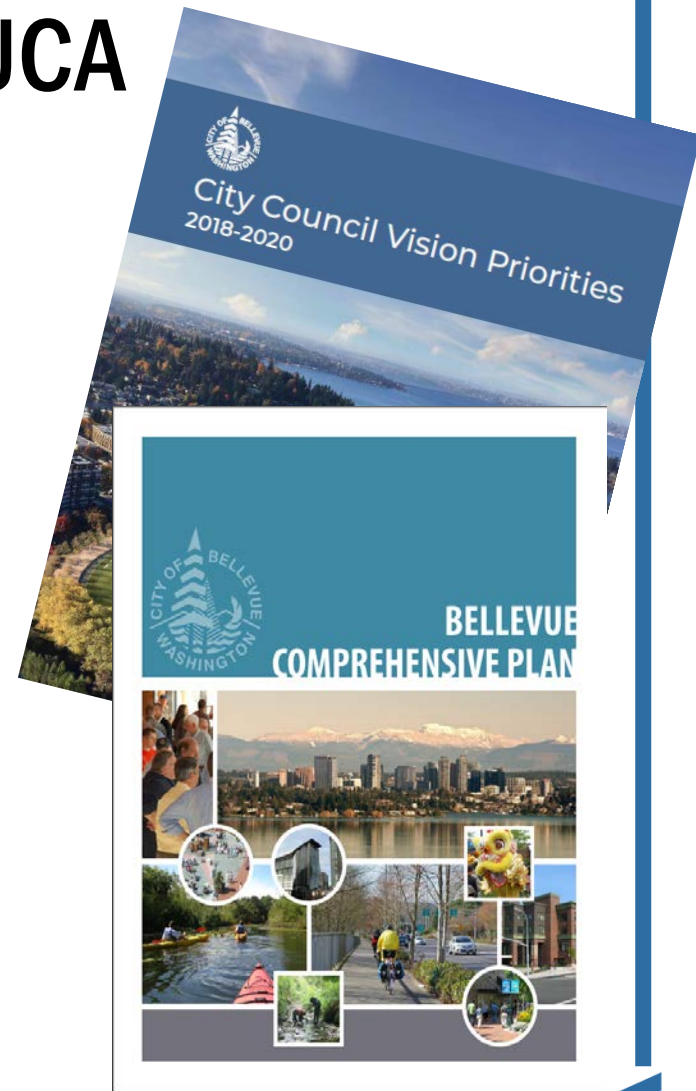
Suggested Changes – Member Composition

1. Move staff from members to subject matter experts (Lee)
2. Increase residents within ½ mile from 5 to 6 (Lee)
3. Increase resident at-large appointments from 1 to 2 (Lee/Zahn)
4. Add PTSA designee (Lee)
5. Add representative of Faith-Based Community (Robinson)
6. Decrease Business representatives within ½ mile from 3 to 2 and add 1 business at-large representative (Zahn)
7. Increase NGO representative from 1 to 2 (Zahn)
8. GNA Committee to include two focus groups – Neighborhood and Technical (Stokes/ Robinson)



Policy Framework for the LUCA

- Work toward an Eastside solution for a permanent location for a men's winter homeless shelter.
- Support the establishment of a year-round homeless shelter on the Eastside.
- Take steps to ensure homelessness is rare, brief and one time.
- Regulate homeless service uses without criminalizing homelessness.
- Effectuate policies contained in the Comprehensive Plan.



Final Draft Ordinance No. 6419



Partnership Experiences

