

CITY COUNCIL STUDY SESSION

Recommended Land Use Code Amendment (LUCA) and proposed Bellevue City Code Amendments (BCCA) for general clean-ups to improve clarity and internal consistency, and correct inaccurate or outdated citations.

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DIRECTION NEEDED FROM COUNCIL

DIRECTION

Staff will introduce the recommended LUCA and proposed BCCA for general clean-ups to improve clarity and internal consistency, and correct inaccurate or outdated citations. Planning Commission Chair Mohammad Malakoutian will present the Planning Commission's recommendation for the LUCA. The Resolution documenting this recommendation is included as Attachment A.

Following discussion, staff is seeking Council direction to prepare the LUCA Ordinance and BCCA Ordinances for final action at a future meeting.

RECOMMENDATION

Direct staff to prepare the LUCA Ordinance and BCCA Ordinances for final action at a future meeting.

BACKGROUND & ANALYSIS

Background

Approximately every other year, the City undertakes general clean-ups to the Land Use Code (LUC) and Bellevue City Code (BCC) to improve clarity and internal consistency, and correct inaccurate or outdated citations. These amendments are minor in nature and are limited to items that are not substantive, do not address policy issues, and do not warrant independent LUCAs or BCCAs.

This package of clean-up amendments includes a recommended LUCA that will amend Chapters 20.10, 20.20, 20.25A, 20.25P, 20.30N, and 20.50 of the LUC (Attachment B); and the clean-up amendments include a proposed BCCA that will amend Chapter 1.18 BCC, Civil Violations; Chapter 9.09 BCC, Abatement of Junk Vehicles; Chapter 9.11 BCC, Anti-Litter Code; and Chapter 23.76, the Clearing and Grading Code (Attachment C).

Components of the Recommended LUCA

The recommended LUCA will amend Chapters 20.10, 20.20, 20.25A, 20.25P, 20.30N, and 20.50 of the LUC to address administrative clean-ups. For ease of discussion, the LUCA amendments are organized into two categories:

1. LUC References and Numbering; and
2. Internal LUC Consistency and Clarity

Topic 1. LUC References and Numbering

This LUCA includes corrections to outdated references and numbering errors in the following sections of the LUC:

- LUC 20.10.200: Removes reference to the Sammamish Community Council (discontinued in 2001)
- LUC 20.20.255.C: Updates reference to correct figure in the Comprehensive Plan
- LUC 20.20.900.E.1: Updates to correct section reference in the BCC
- LUC 20.50.016: Removes outdated definition
- LUC 20.50.034: Removes outdated definition
- LUC 20.50.036: Updates outdated reference from Uniform Building Code (UBC) to International Existing Building Code (IEBC)

Topic 2. Internal LUC Consistency and Clarity

This LUCA also includes several corrections to address internal consistency issues and improve clarity.

- LUC 20.25A.010.A.3: Removes LUC 20.20.520 (Landscape Development) from the list of sections inapplicable to Downtown, Part 20.25A LUC. Other sections in Part 20.25A LUC reference LUC 20.20.520 to vary or supplement landscape requirements applicable to Downtown.
- LUC 20.25A.080.B: Adds a footnote to the parking requirements table referencing the amenity incentive system, which includes reduced minimum parking standards for affordable housing. This amendment would not change any parking standards or the amenity incentive system and is proposed for clarity only.
- LUC 20.25A.170.A.8.b: Updates a figure depicting standards for compatible parking structures near urban streetscapes in Downtown for consistency with the text in LUC 20.25A.170.A.8.b.i.
- LUC 20.25P.085.A.3.d: Removes an unintentional restriction for the uses of the entire ground floor, rather than just the uses along the building frontage facing a street identified in LUC 20.25P.090.A.3.
- LUC 20.30N.140: Updates Home Occupation Permit decision criteria to resolve a conflict with recent updates to Boarding House and Bed and Breakfast occupancy limits in LUC 20.20.140.

Components of the Proposed BCCA

The proposed BCCA will amend Chapter 1.18 BCC, Civil Violations; Chapter 9.09 BCC, Abatement of Junk Vehicles; Chapter 9.11 BCC, Anti-Litter Code; and Chapter 23.76, the Clearing and Grading Code, to address administrative clean-ups. For ease of discussion, this BCCA is organized into two categories:

1. BCC References and Numbering; and
2. Internal BCC Consistency and Clarity

Topic 1. BCC References and Numbering

The proposed BCCA includes corrections to outdated references and numbering errors in the following sections:

- BCC 1.18.040.E.5.a: Updates to correct section reference.

- BCC 9.09.020.C: Updates to correct RCW reference.
- BCC 9.11.040: Removes outdated code section reference.

Topic 2. Internal BCC Consistency and Clarity

This BCCA also includes corrections to address internal consistency issues and improve clarity in the following sections:

- BCC 23.76.035.A.1: Updates clearing and grading permit requirements to clarify that a permit is required for work within 50 feet of shoreline even when no other critical areas are present. Prior to 2018, the definition of “critical areas” included shoreline critical areas. This was changed with the 2018 update to the Shoreline Master Program, though the intention was to continue requiring clearing and grading permits in these shoreline areas.
- BCC 23.76.042: Adds a missing word. The missing word is part of a reference to another section. The content of the referenced section makes it clear that this word was omitted in error.

LUCA Legislative History

Planning Commission Process

The Planning Commission considered the LUCA during its October 27 study session. During the study session, the Planning Commission agreed with the staff recommendation to address these clean-up amendments. The Planning Commission offered recommendations to improve the clarity of a proposed graphic amendment, and the Planning Commission’s recommendations were addressed in the next iteration of the draft LUCA before the Commission. Following discussion, the Planning Commission directed staff to prepare the LUCA for public hearing consistent with the City’s Process IV land use process on December 8. A staff report describing the background, review process, and this LUCA’s compliance with the decision criteria was provided to the Planning Commission, made available for the public hearing, and is included as Attachment D. After the public hearing and discussion, the Planning Commission recommended approval of the LUCA without modification.

EBCC Courtesy Hearing

The East Bellevue Community Council (EBCC) held a courtesy hearing after considering City staff’s presentation on the proposed LUCA on November 2. The EBCC did not share any concerns with City staff following the presentation on the proposed LUCA.

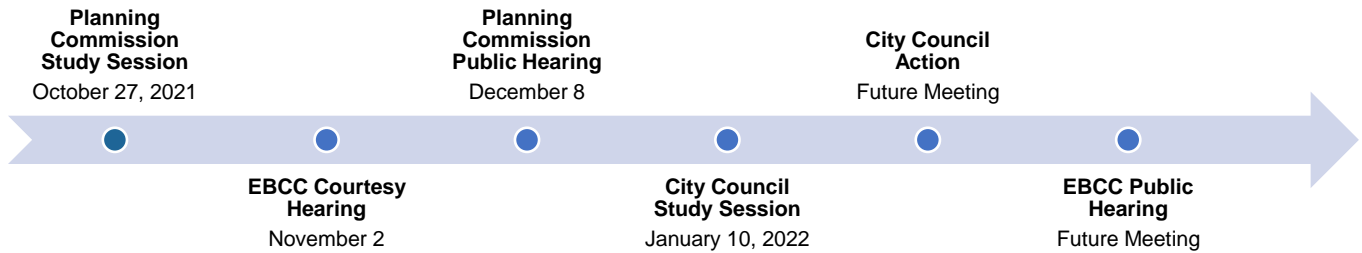
Public Engagement

The City provided notice of the LUCA consistent with the Chapter 20.35 LUC procedural requirements in order to provide opportunities for public comment. The LUCA Application was published on September 16, 2021 in the Weekly Permit Bulletin, and availability of the Weekly Permit Bulletin was noticed in the Seattle Times. The public hearing notice was published on November 18, 2021 in the same publications. Both notices were provided to members of the EBCC and others who have subscribed to review the Weekly Permit Bulletin.

Review Process

The timeline identifies the LUCA review process. Council will consider the recommended LUCA during the January 10 Study Session, with final action at a future meeting. The BCCA does not include amendments to the LUC and, therefore, was not reviewed by the Planning Commission prior to the January 10 City Council Study Session. Draft Ordinances for the LUCA and the proposed BCCA to

Chapter 1.18 BCC, Title 9 BCC, and Chapter 23.76 BCC are provided as Attachments E, F, G, and H, respectively.



POLICY & FISCAL IMPACTS

Policy Impact

The recommended LUCA and proposed BCCA will improve the administration and clarity of the City Code.

Fiscal Impact

There is no fiscal impact associated with implementing the recommended LUCA or proposed BCCA.

OPTIONS

1. Direct staff to prepare the LUCA Ordinance and BCCA Ordinances for final action at a future meeting.
2. Provide alternative direction to staff.

ATTACHMENTS & AVAILABLE DOCUMENTS

- A. Planning Commission Resolution Recommending Clean-up LUCA
- B. Strike-Draft of Proposed LUCA
- C. Strike-Draft of Proposed BCCA
- D. Clean-up LUCA Staff Report
- E. Proposed LUCA Ordinance
- F. Proposed BCCA Ordinance Chapter 1.18
- G. Proposed BCCA Ordinance Title 9
- H. Proposed BCCA Ordinance Chapter 23.76

AVAILABLE IN COUNCIL LIBRARY

N/A