



DATE: February 1, 2022

TO: Chair and Members of the East Bellevue Community Council

FROM: Trisna Tanus, Consulting Attorney
Nick Whipple, Planning Manager
Caleb Miller, Senior Planner
Development Services Department

SUBJECT: Courtesy Hearing – Supportive and Emergency Housing Land Use Code Amendment

I. Introduction

On February 1, the East Bellevue Community Council (EBCC) will hold a courtesy hearing on a Land Use Code Amendment (LUCA) to allow and regulate Permanent Supportive Housing, Transitional Housing, Emergency Housing, and Emergency Shelter. This LUCA responds to recent amendments to RCW 35A.21.430. File No. 21-111195-AD.

II. Discussion

A. Background

The proposed LUCA will amend Land Use Code (LUC) chapters 20.10 Land Use Districts, 20.20 General Development Requirements, and 20.25 Special and Overlay Districts to allow for the four types of housing included in RCW 35A.21.430—Permanent Supportive Housing, Transitional Housing, Emergency Housing, and Emergency Shelter. The LUCA establishes provisions in the LUC for these four housing types under two land use classifications: Supportive Housing (Permanent Supportive Housing, Transitional Housing and Emergency Housing) and Homeless Services Uses (Emergency Shelter). These uses are classified based on the duration of stay of the residents. Attachment A is a strike-draft of the proposed LUCA.

The proposed LUCA allows for permanent supportive housing and transitional housing in all land use districts where residential dwellings and/or hotels and motels are allowed, and Homeless Services Uses in all land use districts where hotels and motels are allowed. The LUCA will also amend definitions for Homeless Services Uses (chapter 20.20.455 LUC) and establish and provide requirements for a new use, Supportive Housing (chapter 20.20.845 LUC). An analysis of the proposed LUCA can be found in the staff report (Attachment B).

The City Council and EBCC adopted an Interim Official Control (IOC) to quickly respond to RCW 35A.21.430, and to provide time to develop permanent regulations. On December 13, 2021, the City Council extended the IOC an additional six months, or to July 12, to provide

additional time to complete the proposed LUCA. On January 4, the EBCC also voted to extend the IOC an additional six months within its jurisdictional area.

B. Code Amendment Review Process

The Planning Commission has reviewed this LUCA during three study sessions on September 8, September 22, and December 8, 2021. Following their discussion at the third study session, the Planning Commission directed staff to schedule a public hearing on this LUCA. This public hearing has been scheduled for February 9.

Following the Planning Commission public hearing on February 9, the Planning Commission will be asked to make a recommendation on the LUCA to the City Council. Staff will then advance the LUCA to the City Council, and if the City Council adopts the LUCA, the EBCC will be asked to hold a public hearing and approve/disapprove the LUCA Ordinance. Staff expect this process to be completed prior to the expiration of the IOC on July 12.

The EBCC is now being asked to hold a courtesy hearing. Notice of the courtesy hearing before the EBCC was provided in the Weekly Permit Bulletin on January 20 and the Seattle Times on January 25. The timing of this courtesy hearing ahead of the public hearing before the Planning Commission will enable the EBCC to transmit their comments directly to the Planning Commission.

C. EBCC Jurisdiction

The EBCC jurisdictional area contains primarily residential land use districts, though there are some smaller areas of commercial land use districts. Attachment C is a map of the land use districts within EBCC jurisdictional area.

Under the proposed LUCA, supportive housing will be allowed in residential land use districts in the EBCC jurisdictional area, as well as those commercial districts where hotels and motels are allowed. The LUCA also establishes regulations for supportive housing, which are detailed in the staff report (Attachment B).

The provisions for Homeless Services Uses, LUC 20.20.455, were not approved by the EBCC (Resolution No. 571) and are not effective in the EBCC jurisdictional area. Thus, changes to LUC 20.20.455 in this proposed LUCA will also not be effective in the EBCC jurisdictional area. Homeless and emergency shelters will continue to be considered Transient Lodging and are already allowed in the Community Business land use district, where hotels and motels are allowed through a Conditional Use Permit.

III. Proposed Land Use Code Amendment

LUC 20.30J.135 establishes the decision criteria for an application to amend the text of the Land Use Code. Those criteria, and the relationship of this LUCA to them, are discussed in the LUCA Staff Report, Attachment B.

IV. Action requested of the EBCC

The EBCC is requested to hold the courtesy hearing on the LUCA. Following the courtesy hearing, staff anticipates returning at a future meeting for the public hearing and approval/disapproval of the LUCA.

Staff will be present at the February 1 courtesy hearing to answer any questions the EBCC may have. If there are questions before this meeting, please contact Caleb Miller, 452-4574 or at cwmiller@bellevuewa.gov.

ATTACHMENTS:

- A. LUCA Strike-Draft
- B. LUCA Staff Report
- C. EBCC Jurisdictional Area Land Use Districts Map