

20.10.440 Land use charts.

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Residential – Residential Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	R-1	R-1.8	R-2.5	R-3.5	R-4	R-5	R-7.5*	R-10	R-15	R-20	R-30
1	Residential											
	Single-Family Dwelling (3)	P	P	P	P	P	P	P	P	P	P	P
	Two to Four Dwelling Units per Structure (6)	PD	PD	PD	PD	PD	PD	PD	P	P	P	P
	Five or More Dwelling Units per Structure (6)	PD	PD	PD	PD	PD	PD	PD	P	P	P	P
...												
	Hotels and Motels											
...												
	<a href="#">Supportive Housing (18)</a>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

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Residential – Nonresidential Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB	NMU	CB	F1	F2	F3
1	Residential												
	Single-Family Dwelling (3)	P 15	P 1	S		S	S	P 8		S	S	S	S
	Two to Four Dwelling Units Per Structure (6)		P 1	P	P			P 8	P 8, 11	P 6	P	P	P

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB	NMU	CB	F1	F2	F3
	Five or More Dwelling Units Per Structure (6)		P 1	P	P			P 8	P 8, 11	P 6	P	P	P
...													
13 15	Hotels and Motels			P	P				P	C	C	P	P
...													
	<u>Supportive Housing (18)</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>			<u>P 8</u>	<u>P 8, 11</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

Notes: Uses in land use districts – Residential:

(8) These residential uses are permitted in NB and NMU Districts only if located on the second floor and above the permitted ground floor nonresidential uses.

(11) The Director may allow a departure from the requirement to provide ground floor neighborhood serving (nonresidential) uses in multifamily developments; provided, that the departure is necessary to mitigate an economic hardship that would preclude project viability. A departure may be granted where the applicant demonstrates that:

- (a) The required neighborhood serving uses do not front on an arterial;
- (b) Visual and physical access to the required neighborhood serving uses is limited by topography or other site-specific obstacles; and

(c) The required neighborhood serving uses would not be visible from other development located in the NMU District, adjacent neighborhoods, nearby arterials or highways.

A departure may be allowed for all sides of the building or some portion thereof; provided, that the approved departure is consistent with the NMU Land Use District definition included in the Comprehensive Plan and LUC 20.10.350. If a departure is granted, ancillary residential uses such as a meeting room, leasing office, kitchen, daycare and work-live space are preferred over occupied residential living space.

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(18) Supportive Housing, as defined in LUC 20.20.845.C.2, may be permitted when meeting the requirements in LUC 20.20.845 and as provided below.

- a. In Single Family Land Use District (R-1 to R-7.5), the Supportive Housing development shall comply with all standards and requirements applicable to single family residential use in the underlying Single Family Residential Land Use District.
- b. In Multifamily Residential Land Use Districts (R-10 to R-30), the Supportive Housing development shall comply with all standards and requirements applicable to multifamily residential use in the underlying Multifamily Residential Land Use District.
- c. In Nonresidential Land Use Districts, Supportive Housing development shall comply with all standards and requirements applicable to residential use in the underlying Land Use District.

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Services – Nonresidential Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB (16)	NMU	CB	F1	F2	F3
6	Services												
...													
	Homeless Services Uses (32)			C	C		C		C	C	C	C	C

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**20.20.010 Uses in land use districts dimensional requirements.**

**Chart 20.20.010 Uses in land use districts – Dimensional Requirements**

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**Uses in land use districts – Dimensional Requirements**

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office	Office	Office/Limited Business	Office/Limited Business 2	Light Industry	General Commercial	Neighborhood Business	Neighborhood Mixed Use	Community Business	Factoria Land Use District 1	Factoria Land Use District 2	Factoria Land Use District 3
		PO	O	OLB	OLB 2	LI	GC	NB	NMU	CB	F1	F2	F3
	<b>DIMENSIONS</b>	(21)	(21)	(21)	(21)	(21)	(21)	(21)	(21)	(21)	(28)	(21, 31)	(21, 32)

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Professional Office PO	Office O	Office/Limited Business OLB	Office/Limited Business 2 OLB 2	Light Industry LI	General Commercial GC	Neighborhood Business NB	Neighborhood Mixed Use NMU	Community Business CB	Factoria Land Use District 1 F1	Factoria Land Use District 2 F2	Factoria Land Use District 3 F3
...													
	Dwelling Units per Acre (15) (22) <del>(52)</del>	10 (23)	20 (23)	30 (23)				15 (23)		30 (23)		30 (23)	30 (23)
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**Notes: Uses in land use districts – Dimensional requirements:**

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~~(52) This requirement is not applicable to Supportive Housing, as defined pursuant to LUC 20.20.845.C.2.~~

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**20.20.455 Homeless services uses.**

**B. Applicability.** This section applies to all proposals for new or expanding homeless services uses as defined in this section. This section does not apply to:

1. Temporary public safety facilities permitted under the terms of LUC 20.20.850. This includes but is not limited to Overnight Shelter: Emergency/Temporary as defined in LUC 20.50.038. These facilities are needed to respond to an unforeseen situation or emergency and are not governed by the terms of this section.

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**C. Definitions**

1. Use Definitions

- a. Homeless Services Use. Refers to the collection of service uses defined in this subsection and established for the purpose of providing ongoing services to people experiencing homelessness. Homeless Services Use includes Emergency Shelter under RCW 36.70A.030(10), now or as hereafter amended, but does not include Overnight Shelter: Emergency/Temporary as defined in LUC 20.50.038.
- b. Day Services Center. A facility that offers a haven to people experiencing homelessness by providing a safe place to rest during the day. Support services for homeless populations is an integral part of a day services center use and includes but is not limited to access to food, seating, showers, laundry, restrooms, storage, a computer lab, phones, fax and a critical mailing address. Spaces for meetings and examinations are generally provided to accommodate counseling and access to medical/dental and legal assistance. Day Services Centers do not provide overnight accommodations.
- ~~c. Overnight Shelter: Emergency/Temporary. Refer to LUC 20.50.038 for this definition. These facilities are not governed by the terms of this section.~~
- ~~dc.~~ Overnight Shelter: Permanent. Any facility that is constructed for the primary purpose of providing shelter for people experiencing homelessness in general or for specific populations of people experiencing homelessness. Supportive services may or may not be provided in addition to the provision of shelter.
- d. Emergency Housing – Transient. Indoor accommodation for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency Housing – Transient is residential occupancy for a period of less than 30 days.

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**20.20.845 Supportive Housing.**

**A. Purpose.**

The purpose of this section is to provide regulations for the permitting of Supportive Housing that is proposed to provide housing to individuals and families experiencing, or are at imminent risk of, homelessness and on-site or off-site supportive services.

**B. Applicability.**

1. This section applies to all new or expansion of Supportive Housing, as defined in this section.

2. Exceptions. The noticing and registration requirements in subsections E and F of this section do not apply to:

~~a. Supportive Housing facilities with permanent on-site supportive services as a subordinate use, pursuant to LUC 20.50.046 and LUC 20.20.840, provided the provision of supportive services is limited only to the residents of the facility; or~~

~~b. Supportive Housing facilities with no permanent on-site supportive services; or~~

~~c. Supportive Housing facilities with the primary purpose of serving individuals participating in the Washington State Address Confidentiality Program under RCW 40.24.030 and Chapter 434-840 WAC.~~

~~3. For the purpose of subsection B.2 of this section, staff who permanently reside in the Supportive Housing facility shall not be considered permanent on-site supportive services.~~

### C. Definitions.

1. Emergency Housing – Non-Transient. Indoor accommodation for individuals or families who are homeless or at imminent risk of becoming homeless that is intended to address the basic health, food, clothing, and personal hygiene needs of individuals or families. Emergency Housing – Non-Transient is residential occupancy for a period of 30 days or more.

2. Supportive Housing. Residential facilities intended to house individuals and families experiencing homelessness, or at imminent risk of homelessness, and paired with on-site or off-site supportive services designed to maintain long-term or permanent tenancy, or to eventually transition the residents to independent living arrangements. This definition includes Emergency Housing – Non-Transient, Permanent Supportive Housing as defined under RCW 36.70A.030, now or as hereafter amended, and Transitional Housing as defined under RCW 84.36.043, now or as hereafter amended.

3. Supportive Services. Services provided to occupants of Supportive Housing for the purpose of facilitating their independence or ensuring long-term housing stability. Supportive Services may include, but are not limited to, services such as case management, medical treatment, psychological counseling, childcare, transportation, and job training.

**D. Use Requirements.**

1. Common kitchen facility shall be provided on-site for Supportive Housing that does not have an individual kitchen in each Supportive Housing room or unit.
2. The following requirements apply to Supportive Housing in Single-Family Land Use Districts (R-1 to R-7.5):
  - a. Alterations to the interior or exterior of the structure which change its single-family residential appearance or character shall not be permitted, except that any alterations to improve accessibility per the Americans with Disabilities Act shall be permitted; and
  - b. Supportive services administered on site shall only be available to residents of the facility; and
  - c. The maximum number of adult residents shall not exceed eight (8), except that on-site staff shall not count towards this maximum number.
3. Supportive Housing shall provide resident staff or staff that is generally available on-site at all times.
4. A minimum separation of one-half mile shall be required between two Supportive Housing uses.
5. Supportive Housing in Nonresidential Land Use Districts, Downtown, BelRed, East Main TOD, and Eastgate TOD Districts shall be limited to no more than 100 residents at any one time unless agreed upon with additional mitigation measures as part of an operational agreement.

**E. Registration Required.**

1. Required Notice for Supportive Housing:
  - a. Where notice of application is required pursuant to Chapter 20.35 LUC, the notice of application shall also include the information in subsection E.1.c of this section.
  - b. Where notice of application is not required pursuant to Chapter 20.35 LUC, a mailed notice of registration shall be distributed to owners of real property within 500 feet of the subject site, and the notice shall include the information in subsection E.1.c of this section.
    - i. When a building permit is required for any alterations to the structure intended for Supportive Housing, the mailed notice shall be distributed at the time of permit issuance.



- iv. The plan shall provide protocols for routine and emergency communications with first responders; and
    - v. The final safety and security plan shall be approved by the Bellevue Police Department.
  - e. A code of conduct that applies to all individuals granted access to the proposed Supportive Housing use.
    - i. The code of conduct shall be developed in consultation with the site operators, service providers, City Human Services staff, and those who have a lived experience of homelessness;
    - ii. The code of conduct shall describe occupant expectation and consequences for failing to comply. When possible, consequences and corrective action should be individualized, address the specific behavior, and assist residents along a behavioral path that fosters greater responsibility and achieves a positive outcome for the resident. Examples include a requirement that an individual attend specific counseling, participate in a specific support group, or provide more frequent check-ins with case workers or counselors;
    - iii. The code of conduct shall at a minimum address the following topics:
      - A. The use or sale of alcohol and recreational marijuana;
      - B. The use of illegal drugs;
      - C. The sale of illegal drugs;
      - D. Threatening or unsafe behavior; and
      - E. Weapon possession.
    - iv. Final program rules and code of conduct shall be reviewed and approved by the Bellevue Police Department and the Development Services Director in consultation with Human Services staff.
  - f. A community relations plan that addresses potential impacts on nearby businesses and/or residences, including a proposed mitigation approach.
    - i. In the planning phase, the operator shall consider how the site will involve, interact with, and impact facility residents, community neighbors, and businesses. Operators shall develop strategies and policies concerning:
      - A. Public safety and neighborhood responsiveness;

B. Community engagement;

C. Dispute resolution; and

D. Equity and social justice.

ii. The plan shall document expectations drafted in consultation with the local community, site operators, service providers, those with lived experience of homelessness, and city representatives;

iii. The plan shall address site upkeep and maintenance, on-street parking and vehicle camping;

iv. The plan shall identify a “neighborhood liaison,” a staff person who has been designated to be a visible and friendly ambassador for the housing facility, nurture respectful relationships among community members, attend community events, and receive and respond to neighbor complaints in a timely manner;

v. The plan shall identify process for dispute resolution; and

vi. The plan shall be approved by the Development Services Director.

3. The registration information described in subsections ~~E.2.a through E.2.c~~ shall be kept up to date with the Development Services Department. Any change to this required information shall be submitted to Development Services on a revised registration form. No additional notice shall be required upon submittal of a revised registration form.

#### **F. Operational Agreement**

1. An operational agreement shall be established with the City prior to occupancy of a Supportive Housing use:

a. Property owners and operators shall enter into an agreement with the City in a form that is acceptable to the City.

2. The occupancy agreement shall include but not be limited to the following:

a. Names and contact information for on-site staff;

b. Description of the services to be provided on site;

c. Description of the staffing plan including the following:

i. Number of staff supporting residents and operations;

- ii. Certification requirements;
  - iii. Staff training programs;
  - iv. Staff to client ratios;
  - v. Roles and responsibilities of all staff; and
  - vi. The prior experience of the operator in managing permanent supportive housing, transitional housing, or emergency housing.
- d. Description of how resident occupancy will be phased up to full proposed capacity;
  - e. Description of program eligibility, the referral and/or selection process, and how the operator will comply with the local outreach and coordination requirements of this chapter;
  - f. Identification of supporting agencies and a description of supportive partnerships that will be engaged in ensuring that the operator can maintain the described level of service needed to support the resident population; and
  - g. Contractual remedies for violation of the terms and conditions established in the operational agreement. This shall include identifying specific timelines for corrective action and penalties for nonaction for any violation that impacts the health and safety of residents.

3. Minimum Performance Expectations for Operators

- a. The sponsoring agency and/or operator shall work with local service providers and City Human Services staff to identify eligible homeless individuals who are living in, near, or who have ties to the City;
- b. Coordination with local service providers and City Human Services staff to refer homeless community members, not residing at the facility, to appropriate service providers;
- c. Facility staffing required for 24 hours per day and seven days per week (24/7 staffing);
- d. Compliance with applicable registration and notification requirements for registered sex offenders;
- e. Management of access to the facility;
- f. Case management for the residents including:

i. Provision of access or connection to behavioral health treatment (including substance use disorder) and services;

ii. Provision of access or connection to employment assistance (e.g., job training and education); and

iii. Provision of access or connection to housing-related services to help residents gain, maintain, or increase housing stability (e.g., tenant education and supports).

g. Development of a plan for routine and emergency communications with first responders; and

h. Routine repair and maintenance of the property.

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**20.25A.050 Downtown Land Use Charts**

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**D. Use Charts**

The following charts apply to Downtown. The use charts contained in LUC 20.10.440 do not apply within the Downtown Land Use Districts.

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**Residential – Downtown Land Use Districts**

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office 1	Downtown Office 2	Downtown Mixed Use	Downtown Residential	Downtown Old Bellevue	Downtown Office and Limited Business
		DT-O-1	DT-O-2	DT-MU	DT-R	DT-OB	DT-OLB
	Two or More Dwelling Units Per Structure	P	P	P	P	P	P
...							
13	Hotels and Motels	P	P	P	P	P	P
...							

**Councilmember Robertson Proposed Amendments  
to Planning Commission Recommended LUCA**

**Attachment G**

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Downtown Office 1	Downtown Office 2	Downtown Mixed Use	Downtown Residential	Downtown Old Bellevue	Downtown Office and Limited Business
		DT-O-1	DT-O-2	DT-MU	DT-R	DT-OB	DT-OLB
	<a href="#"><u>Supportive Housing (3)</u></a>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

**Notes: Uses in Downtown Land Use Districts – Residential:**

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[\(3\) Supportive Housing, as defined in LUC 20.20.845.C.2, may be permitted when meeting the requirements in LUC 20.20.845. The Supportive Housing shall comply with all standards and requirements applicable to residential use in the underlying Land Use District.](#)

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**20.25D.070 Land Use Charts.**

The following charts apply to BelRed. The use charts contained in LUC 20.10.440 do not apply within the BelRed land use districts.

Chart 20.25D.070 Residential Uses in BelRed Land Use Districts

STD LAND USE CODE REF	LAND USE CLASSIFICATION	Residential – BelRed Districts						
		BelRed Medical Office/Node	BelRed Office Residential/Nodes	BelRed Residential Commercial Nodes	BelRed Residential	BelRed General Commercial	BelRed Commercial Residential	BelRed Office Residential Transition
		BR-MO/ MO-1	BR- OR/ OR-1 OR-2	BR- RC-1 RC-2 RC-3	BR-R	BR-GC	BR-CR	BR- ORT
1	Residential (1)							
	Single-Family Dwelling		P 2/		P 2	3	P 2	P
	Two to Four Dwelling Units Per Structure		P/P	P	P	3	P 2	P
	Five or More Dwelling Units Per Structure (5)		P/P	P	P	3	P 2	P
...								
13 15	Hotels and Motels	P/P	P/P	P		P	P	
...								
	<a href="#">Supportive Housing</a>	<a href="#">P/P 7</a>	<a href="#">P/P 7</a>	<a href="#">P 7</a>	<a href="#">P 7</a>	<a href="#">P 7</a>	<a href="#">P 7</a>	<a href="#">P 7</a>

Notes: Uses in land use districts – Residential:

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[\(7\) Supportive Housing, as defined in LUC 20.20.845.C.2, may be permitted when meeting the requirements in LUC 20.20.845. The Supportive Housing development](#)

shall comply with all standards and requirements applicable to residential use in the underlying Land Use District.

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**20.25F.010 Permitted land uses.**

A. The following chart, entitled Evergreen Highlands Permitted Land Uses, indicates the permitted land uses and required review procedure for each use within each performance area:

**Evergreen Highlands Permitted Land Uses**

Land Use	Performance Area			
	EH-A	EH-B	EH-C	EH-D
Single-family detached	P			
Two – four dwelling units per structure	P			
Five or more dwelling units per structure	A			
...				
Extended stay hotel (11)				P
...				
<u>Supportive Housing</u>	<u>P 13</u>			<u>P 13</u>
<u>Homeless Services Uses (14)</u>				<u>C</u>

...

(13) Supportive Housing, as defined in LUC 20.20.845.C.2, may be permitted when meeting the requirements in LUC 20.20.845. The Supportive Housing development shall comply with all standards and requirements applicable to residential use in the underlying Land Use District.

(14) A homeless services use requires approval of a Conditional Use Permit unless the City Council agrees to negotiate a development agreement. Refer to LUC 20.20.455.D.

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**20.25F.040 Site and design requirements.**

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**B. Site Requirements.**

The following chart sets forth the dimensional and site requirements for each performance area in the Evergreen Highlands Design District. Each structure, development or activity in the district must comply with these requirements.

Site Requirements	Performance Area			
	EH-A	EH-B	EH-C	EH-D
1. Maximum Number of Dwelling Units Per Gross Acre <del>(11)</del>	11	N/A	N/A	N/A

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~~(11) This requirement is not applicable to Supportive Housing, as defined pursuant to LUC 20.20.845(C)(2).~~

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**20.25L.020 Permitted land uses.**

The following chart indicates the permitted land uses within the OLB-OS Land Use District.

Land Use	Process
Hotels and Motels	P
...	
<u>Supportive Housing (19)</u>	<u>P</u>
<u>Homeless Services Uses (20)</u>	<u>C</u>

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(19) Supportive Housing, as defined in LUC 20.20.845.C.2, may be permitted when meeting the requirements in LUC 20.20.845.

(20) A homeless services use requires approval of a Conditional Use Permit unless the City Council agrees to negotiate a development agreement. Refer to LUC 20.20.455.D.

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**20.25P.050 Land Use Chart.**

The following charts apply to EG-TOD. The use charts contained in LUC 20.10.440 do not apply within the EG-TOD.

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**Chart 20.25P.050 Residential Uses in Eastgate Transit Oriented Development Land Use District**

STD LAND USE CODE REF	Residential – Eastgate Transit Oriented Development Land Use District	Eastgate Transit Oriented Development Land Use District
	LAND USE CLASSIFICATION	EG-TOD
1	Residential	
	Single-Family Dwelling	
	Two to Four Dwelling Units Per Structure	P
	Five or More Dwelling Units Per Structure	P
...		
13 15	Hotels and Motels	P
...		
	<a href="#">Supportive Housing</a>	<a href="#">P<sup>4</sup></a>

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**Notes: Uses in Eastgate Transit Oriented Development Land Use District – Residential**

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(4) Supportive Housing, as defined in LUC 20.20.845.C.2, may be permitted when meeting the requirements in LUC 20.20.845. The Supportive Housing development shall comply with all standards and requirements applicable to residential use in the underlying Land Use District.

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**20.25Q.050 Permitted Uses**

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**D. Use Charts.**

The following use chart applies to the East Main Transit Oriented Development Districts.

Chart 20.25Q.050.D Uses in East Main Transit Oriented Development Districts			
Std Land Use Code Ref	Land Use Classification	TOD-H	TOD-L
...			
	Two or More Dwelling Units Per Structure	P	P
...			
13	Hotels and Motels	P	P
...			
	<a href="#">Homeless Services Uses (36)</a>	<u>C</u>	<u>C</u>
	<a href="#">Supportive Housing (37)</a>	<u>P</u>	<u>P</u>

**Notes: Uses in East Main Land Use Districts**

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[\(36\) A homeless services use requires approval of a Conditional Use Permit unless the City Council agrees to negotiate a development agreement. Refer to LUC 20.20.455.D.](#)

[\(37\) Supportive Housing, as defined in LUC 20.20.845.C.2, may be permitted when meeting the requirements in LUC 20.20.845. The Supportive Housing development shall comply with all standards and requirements applicable to residential use in the underlying Land Use District.](#)