

## CITY COUNCIL REGULAR SESSION

Public Hearing and action on Ordinance amending section 20.20.850 of the City of Bellevue Land Use Code (LUC) to provide additional extension periods for Temporary Public Safety Facilities during a declared natural disaster or emergency circumstance; providing for severability; and establishing an effective date.

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*Development Services*

## EXECUTIVE SUMMARY

At the September 6 Study Session, the City Council directed staff to prepare and schedule this Land Use Code Amendment (LUCA) Ordinance for a public hearing. This LUCA allows the Director of Development Services (the “Director”) to grant multiple 12-month extensions for Temporary Public Safety Facilities (TPSFs), where appropriate and supported by ongoing emergency circumstances.

## RECOMMENDATION

Hold the Public Hearing and, following the Public Hearing, move to adopt Ordinance No. 6676

## BACKGROUND/ANALYSIS

### Background

On September 6, Council was introduced to the proposed LUCA. The LUCA will amend LUC 20.20.850, which is the section in the LUC that regulates TPSFs. Specifically, the LUCA will remove the maximum 36-month approval period (currently, a 24-month approval plus 12-month extension) for TPSFs and allow the Director to grant multiple extensions for TPSFs, where appropriate and supported by ongoing emergency circumstances. The LUCA will also amend the start date of the approval period to begin at the approval date of the TPSF rather than the date of commencement of operations.

The proposed LUCA will address TPSFs such as the Congregations for the Homeless (CFH) interim men’s shelter at Lincoln Center; and subject to Director approval, the LUCA would allow the CFH-run TPSF to operate at Lincoln Center until the opening of the permanent Eastside Men’s Shelter, anticipated in Q1 of 2023. In addition to ensuring the interim men’s shelter can remain in operation, the LUCA is intended to allow continuity of response, recovery, and assistive services throughout a City Manager-declared natural disaster or emergency circumstance. A staff report describing the background, review process, and this LUCA’s compliance with the decision criteria is included as Attachment A.

Following discussion at the September 6 meeting, Council directed staff to prepare and schedule the LUCA for a public hearing. Council asked for additional information related to the timing and processing of this LUCA and the allowance for multiple extensions up to 12 months for TPSFs. A summary of these questions and staff’s responses are provided below.

1. Will this LUCA be ready for Council action before the CFH-run TPSF approval period expires in December?

*Response: Yes, this LUCA will enable CFH to apply for and receive approval for additional extension of the men's shelter at Lincoln Center in order to continue operating until the opening of the permanent Eastside Men's Shelter, anticipated in Q1 of 2023.*

2. Will this LUCA allow the Director to continually approve a TPSF without limit?

*Response: This LUCA allows the Director to approve the continuance of a TPSF for the duration of the City Manager-declared natural disaster or emergency circumstance. This change allows for flexibility in supporting TPSFs and ensures continuity in operations throughout a natural disaster or emergency circumstance while remaining temporary in nature. Without a declared natural disaster or emergency circumstance, TPSFs are not allowed, and extensions to a TPSF approval period may not be granted.*

### **Public Engagement**

Consistent with Chapter 20.35 LUC procedural requirements, a combined Notice of Application and Notice of Public Hearing for this LUCA was published in the Weekly Permit Bulletin on September 8, along with the attached Staff Report. A separate Notice of Public Hearing was published in the Seattle Times on September 12.

### **Review Process**

The below timeline details the review process for this LUCA:

- Introduction and Study Session – September 6
- Public Hearing and Final Action – September 26 (tonight)

## **POLICY & FISCAL IMPACTS**

### **Policy Impact**

Continuity of services is vital in any emergency response and recovery process, and preparation for disasters or unforeseen emergency circumstances is explicitly recognized as a neighborhood need in the Comprehensive Plan:

- **Comprehensive Plan Policy N-4:** Plan and prepare for the response, recovery, and mitigation of potential disasters and hazards.

### **Fiscal Impact**

There is no fiscal impact associated with implementing these changes.

## **OPTIONS**

1. Hold the Public Hearing and, following the Public Hearing, move to adopt the Ordinance amending section 20.20.850 of the City of Bellevue Land Use Code (LUC) to provide additional extension periods for Temporary Public Safety Facilities during a declared natural disaster or emergency circumstance; providing for severability; and establishing an effective date.

2. Hold the Public Hearing and, following the Public Hearing, do not adopt the Ordinance and provide alternative direction to staff.

#### **ATTACHMENTS**

- A. LUCA Staff Report
- B. LUCA Final Strike-Draft  
Proposed Ordinance No. 6676

#### **AVAILABLE IN COUNCIL LIBRARY**

N/A