

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. _____

AN ORDINANCE amending Section 20.10.440, 20.25A.050, 20.25D.070, 20.25P.050, 20.25Q.050, and 20.50.034 of the Land Use Code (LUC) and adding a new section LUC 20.20.537 to establish exceptions and alternative standards for micro-apartments in mixed-use areas within the frequent transit network; providing for severability; and establishing an effective date.

WHEREAS, on July 5, 2022, in building upon the 2017 Affordable Housing Strategy, the City Council prioritized a set of “Next Right Work” actions to further increase housing production within the City and initiated work to remove barriers to constructing micro-apartments; and

WHEREAS, Affordable Housing Strategy B-1 recommends encouraging micro-apartments around light rail stations through actions such as reduced parking requirements; and

WHEREAS, the 2022 City of Bellevue Housing Needs Assessment notes that housing is needed within the City across the income spectrum; and

WHEREAS, Comprehensive Plan Policy LU-3 promotes a land use pattern and an integrated multimodal transportation system; and

WHEREAS, Comprehensive Plan Policy HO-11 recommends encouraging housing opportunities in mixed residential/commercial settings throughout the City; and

WHEREAS, Comprehensive Plan Policy HO-17 directs the City to evaluate the housing cost and supply implications of proposed regulations and procedures; and

WHEREAS, this micro-apartments Land Use Code Amendment is consistent with the Comprehensive Plan, Affordable Housing Strategy, and Housing Needs Assessment; and

WHEREAS, the Planning Commission held a study session on January 25, 2023 to discuss this Land Use Code Amendment, and after providing legally-required public notice, the Planning Commission held a public hearing on March 8, 2023 for this Land Use Code Amendment; and

WHEREAS, the Planning Commission, after holding the required public hearing, recommended that the City Council approve this Land Use Code Amendment as the amendment meets the decision criteria in 20.30J.135; and

WHEREAS, on April 24, 2023, the City Council considered the Planning Commission recommendation and discussed the proposed Land Use Code Amendment; and

WHEREAS, the Environmental Coordinator for the City of Bellevue determined that this Land Use Code Amendment will not result in any probable, significant, adverse environmental impact and issued a final threshold determination of non-significance on February 16, 2023; and

WHEREAS, the City Council finds that the proposed LUCA meets the decision criteria of LUC 20.30J.135, is consistent with the Comprehensive Plan, enhances the public health, safety and welfare, and is not contrary to the best interests of the citizens and property owners of the City of Bellevue, as more completely analyzed in the Staff Report dated March 8, 2023; now, therefore

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 20.10.440 of the Bellevue Land Use Code is hereby amended to add a new note 20 and to read as follows:

20.10.440 Land use charts.

Chart 20.10.440 Uses in land use districts – Uses in land use districts

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Residential – Nonresidential Districts

Chart 20.10.440 Uses in land use districts

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) (20)		P 1	P	P			P 8	P 8, 11	P 6	P	P	P
	Five or More Dwelling Units per Structure (6) (20)		P 1	P	P			P 8	P 8, 11	P 6	P	P	P
...													

Notes: Uses in land use districts – Residential:

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(20) Micro-Apartments, as defined in LUC 20.50.034 and where permitted by this section, shall be eligible for the exceptions and alternative standards in LUC 20.20.537.

Section 2. A new Section 20.20.537 of the Bellevue Land Use Code is hereby added to read as follows:

20.20.537 Micro-Apartments.

A. Applicability and Relationship to Other Regulations.

Where noted in the general Land Use Charts in LUC 20.10.440 and Use Charts for Downtown in LUC.20.25A.050.D, BelRed in LUC 20.25D.070, Eastgate Transit Oriented Development in LUC 20.25P.050 and East Main in LUC 20.25Q.050.D, and when located within the following areas:

1. Within one-quarter mile of a transit stop that receives transit service at least two times per hour for 12 or more hours per day; or
2. Within one-half mile of a transit stop that receives transit service at least four times per hour for 12 or more hours per day; or

3. Within one-half mile of a future light rail or bus rapid transit station scheduled to begin service within two years.

Micro-Apartments shall be eligible for exceptions and modified standards in subsection B of this section. Where there is a conflict between this section and other provisions of the Land Use Code, these exceptions and modified standards shall govern.

B. Standards.

The following standards and exceptions apply to micro-apartments:

1. For the purposes of calculating dwelling units per acre, each micro-apartment shall be considered .25 of a dwelling unit.
2. Parking shall be provided at a ratio of .25 parking spaces per micro-apartment. Micro-apartments meeting the definition of Affordable Housing in LUC 20.50.010 shall have no parking minimum.
3. The Director may modify the minimum parking ratio for micro-apartments as set forth in subsection B.2 of this section when supported by a parking demand analysis provided by the applicant, including but not limited to:
 - a. Documentation supplied by the applicant regarding actual parking demand for the proposed use; or
 - b. Evidence in available planning and technical studies relating to the proposed use; or
 - c. Required parking for the proposed use as determined by other compatible jurisdictions.
4. Periodic Review. The Director may require periodic review of the proposed review of the reduced parking supply to ensure the terms of the approval are being met.
5. Weatherproof and secure bicycle parking shall be provided at a ratio of one bicycle parking space per every five (5) micro-apartments.
6. Micro-apartments shall be exempt from the provisions of LUC 20.20.540, Multi-Family Play Areas.

Section 3. Section 20.25A.050 of the Bellevue Land Use Code is hereby amended to add a new note 4 and to read as follows:

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 Charts

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 (4)	P	P	P	P	P	P
...							

Notes: Uses in Downtown Land Use Districts – Residential:

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(4) Micro-Apartments, as defined in LUC 20.50.034 and where permitted by this section, shall be eligible for the exceptions and alternative standards in LUC 20.20.537.

Section 4. Section 20.25D.070 of the Bellevue Land Use Code is hereby amended to add a new note 8 and to read as follows:

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.

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

		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
STD LAND USE CODE REF	LAND USE CLASSIFICATION	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 (8)		P/P	P	P	3	P 2	P
	Five or More Dwelling Units per Structure (5) (8)		P/P	P	P	3	P 2	P
...								

Notes: Uses in BelRed Land Use Districts – Residential:

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(8) Micro-Apartments, as defined in LUC 20.50.034 and where permitted by this section, shall be eligible for the exceptions and alternative standards in LUC 20.20.537.

Section 5. Section 20.25P.050 of the Bellevue Land Use Code is hereby amended to add a new note 5 and to read as follows:

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 (5)	P
	Five or More Dwelling Units per Structure (5)	P
...		

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

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(5) Micro-Apartments, as defined in LUC 20.50.034 and where permitted by this section, shall be eligible for the exceptions and alternative standards in LUC 20.20.537.

Section 6. Section 20.25Q.050 of the Bellevue Land Use Code is hereby amended to add a new note 37 and to read as follows:

20.25Q.050 Permitted Uses.

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D. Use Chart.

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 (37)	P	P
...			

Notes: Uses in East Main Land Use Districts:

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(37) Micro-Apartments, as defined in LUC 20.50.034 and where permitted by this section, shall be eligible for the exceptions and alternative standards in LUC 20.20.537.

Section 7. Section 20.50.034 of the Bellevue Land Use Code is hereby amended to add a new definition for “Micro-apartments” and to read as follows:

20.50.034 M definitions.

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Micro-apartments. Individual dwelling units within a multifamily or mixed-use development with a maximum gross floor area of 320 square feet.

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Section 8. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this Ordinance.

Section 9. Effective Date. This Ordinance shall take effect and be in force five (5) days after adoption and legal publication.

Passed by the City Council this _____ day of _____, 2023 and signed in authentication of its passage this _____ day of _____, 2023.

(SEAL)

Lynne Robinson, Mayor

Approved as to form:
Kathryn L. Gerla, City Attorney

Matthew McFarland, Assistant City Attorney

Attest:

Charmaine Arredondo, City Clerk

Published: _____