

## **CITY COUNCIL AGENDA MEMORANDUM**

### **SUBJECT**

Ordinance amending the Land Use Code, amending a portion of Section 20.25D.080 of the Bellevue City Code to provide for an increase in available Floor Area when affordable housing is provided through a fee-in-lieu or negotiated in return for affordable housing that is provided on site: modifying the Floor Area Ratio (FAR) Exceptions provided in the Bel Red Medical Office District to except up to 1 FAR subject to payment of a fee-in-lieu or the terms of an executed Development Agreement, providing for severability, and establishing an effective date.

### **FISCAL IMPACT**

No fiscal impact is expected. The application of the amended section of BelRed code will be administered by the land use staff during review of permit applications.

### **STAFF CONTACT**

Carol Helland, Land Use Director, 452-2724  
*Development Services Department*

### **POLICY ISSUES**

Should the City amend Land Use Code Section 20.25D.080 of the Bellevue City Code to provide for an increase in available floor area in return for affordable housing as unanimously recommended by the Planning Commission to take advantage of the opportunity presented by Aegis Living to pay a fee-in-lieu?

### **DIRECTION NEEDED FROM COUNCIL**

☒ Action  
☐ Discussion  
☐ Information

A study session was held on June 6, 2016, to review and discuss the Planning Commission's recommended Land Use Code (LUC) amendment to respond to the Aegis Living request. The Council directed staff to prepare an ordinance for final action consistent with the Planning Commission recommendation. Staff are requesting the City Council to take final action to adopt the ordinance recommended by the Planning Commission (included with this memorandum as Attachment A).

### **BACKGROUND**

On December 14, 2015, representatives of Aegis Living came before the Council in Oral Communications with a request to initiate and expedite a LUCA that would affect their property in the BR-MO District. The representatives presented specific LUCA language that would allow the maximum floor area dedicated to "assisted living" use in the BelRed Medical Office District (BR-MO) to exceed the base FAR of 1.0 up to a maximum FAR of 2.0, subject to provision of a fee-in-lieu affordable housing incentive.

The City Council discussed the merits of undertaking a code amendment to achieve the objectives of the Aegis Living proposal on February 1 and February 22, 2016. On February 22, the Council initiated a

narrowly tailored LUCA to enable increased density in multifamily districts City-wide for assisted living where combined with on-site or fee-in-lieu provision of affordable housing, and forwarded the LUCA to the Planning Commission for a public hearing and recommendation.

The Planning Commission held a public hearing and study session on the Council directed code amendment on April 27, 2016. An additional study session on the final ordinance and transmittal was held on May 11, 2016. During the formulation of the recommended ordinance, the Planning Commission concluded that it would be premature to recommend a city-wide approach in response to the Aegis Living request before the Affordable Housing Strategy had been completed by the Technical Advisory Group (TAG).

The Planning Commission Transmittal to the City Council on the Aegis Living request was presented at the June 6, 2016, Study Session. The Planning Commission recommended by a unanimous vote (7 Planning Commission members in support) that the City Council:

- Approve the Land Use Code Amendment (LUCA) to expand the floor area exception to assisted living uses in the Bel-Red Medical Office Land Use District when affordable housing is provided.

The Planning Commission also recommended by a unanimous vote that the City Council:

- Forward to the TAG for the Affordable Housing Strategy a request to explore available techniques, and to recommend strategies for, the Planning Commission to pursue affordable housing opportunities, for seniors, in Bellevue, that include an assisted living care component.
- Earmark funds for addressing the demand for senior-focused special needs housing in Bellevue.

The Planning Commission recommended ordinance is included in Attachment A to this Regular Session memorandum.

### **EFFECTIVE DATE**

If approved, this Ordinance becomes effective June 30, 2016.

### **OPTIONS**

1. Adopt the Aegis Living Code Amendment recommended by the Planning Commission (Attachment A).
2. Reject the Aegis Living Code Amendment and provide staff with alternative direction.

### **RECOMMENDATION**

Option 1.

### **MOTION**

Move to adopt Ordinance 6293 amending the Land Use Code, amending a portion of Section 20.25D.080 of the Bellevue City Code to provide for an increase in available Floor Area when affordable housing is provided through a fee-in-lieu or negotiated in return for affordable housing that is provided on site: modifying the Floor Area Ratio (FAR) Exceptions provided in the BelRed Medical Office District to except up to 1 FAR subject to payment of a fee-in-lieu or the terms of an executed Development Agreement, providing for severability, and establishing an effective date.

### **ATTACHMENT(S)**

Recommended Aegis Living Code Amendment