

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6398

AN ORDINANCE extending Ordinance No. 6368, which imposed an Interim Official Control regarding the permit process required to establish a homeless shelter and identified the Land Use Districts where a homeless shelter may be permitted; providing for severability; and establishing an effective date.

WHEREAS, the City Council Vision Priorities direct the City to work with regional partners to “establish an Eastside permanent winter homeless shelter to be ready for the winter of 2018/19”; and

WHEREAS, this priority is reinforced and expanded in the Council’s adopted 2014 Diversity Advantage Plan, which includes an action item “supporting the establishment of a year-round homeless shelter on the Eastside”; and

WHEREAS, the City is undertaking a comprehensive approach toward homelessness that requires a high level of coordination between services, facilities, policies and enforcement; and

WHEREAS, the Council has an interest in pursuing a holistic approach to the permitting of homeless shelters citywide to avoid an ad hoc regulatory approach to the permitting of this use; and

WHEREAS, the City Council has expressed a desire to provide consistency in the land use code related to permitting homeless shelters in all districts where Hotel/Motel and Transient Lodging Uses are currently allowed subject to the Conditional Use provisions specified in Part 20.30B and to general requirements for the land use district where homeless shelters are permitted; and

WHEREAS, on August 7, 2017, the City Council adopted Ordinance No. 6368, which imposed an Interim Official Control that amended the LUC to subject homeless shelters to the Conditional Use provisions specified in LUC Part 20.30B and to the general development requirements for land use districts where homeless shelters are currently permitted; and

WHEREAS, under the Growth Management Act (GMA), the City was required to hold a public hearing within 60 days of adopting Ordinance No. 6368, and consistent with the GMA, the City Council held a public hearing on September 25, 2017 to consider the Interim Official Control; and

WHEREAS, following the September 25, 2017 public hearing, the City Council affirmed that Ordinance No. 6368 should remain in effect for an initial six-month period, to February 7, 2018; and

WHEREAS, while the Interim Official Control is in place, the City is working to develop permanent regulations that will support its vision to establish a homeless shelter in Bellevue; and

WHEREAS, development of permanent code amendments necessary to implement provisions contained in the Interim Official Control is scheduled to occur in 2018; and

WHEREAS, an extension of the Interim Official Control is necessary to provide time for the City to draft, consider, and hold hearings on permanent regulations; and

WHEREAS, the Environmental Coordinator for the City of Bellevue has determined that this text amendment to the Land Use Code would be Categorically Exempt from the Threshold Determination requirements of the State Environmental Policy Act pursuant to the terms of WAC 197-11-800(19); and

WHEREAS, the City Council duly held the public hearing required pursuant to RCW 36.70A.390 on January 22, 2018, so as to hear and consider public comment and testimony regarding extension of this Interim Official Control; and

WHEREAS, the City Council adopts the foregoing as its findings of fact justifying the extension of the Interim Official Control originally adopted by Ordinance No. 6368 for an additional six-month period; now, therefore,

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

Section 1. Extension of Interim Official Control. Ordinance No. 6368 is hereby extended for an additional six-month period, to August 7, 2018, unless repealed, extended, or modified by the City Council after subsequent public hearing and entry of additional findings of fact pursuant to RCW 35A.63.220 and RCW 36.70A.390.

Section 2. 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 3. Effective Date. This Ordinance shall take effect and be in force five (5) days after adoption and legal publication.

Section 4. Findings of Fact. The findings contained in this Ordinance are hereby adopted as Findings of Fact to justify extending Ordinance No. 6368 by adoption of this Interim Official Control.

Passed by the City Council this _____ day of _____, 2018 and signed in authentication of its passage this _____ day of _____, 2018.

(SEAL)

John Chelminiak, Mayor

Approved as to form:

Lori M. Riordan, City Attorney

Matthew McFarland, Assistant City Attorney

Attest:

Kyle Stannert, City Clerk

Published _____