

April 23, 2018

CITY COUNCIL STUDY SESSION ITEM

SUBJECT

Permanent Homeless Shelter Permitting Amendments to the Land Use Code (LUC) – Meeting 2.

STAFF CONTACTS

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POLICY ISSUES

In January, the City Council affirmed its intent to allow for a permanent homeless shelter in Bellevue by directing staff to develop permanent homeless shelter regulations when it extended the Interim Official Control (IOC) and adopted general scheduling for completion of the code drafting work. Council also communicated the importance of providing a community engagement approach that allows the public to provide meaningful input as the Council weighs the policy choices that will drive the Land Use Code provisions regulating homeless services uses. On March 5, Council endorsed the community engagement approach and LUC Amendment processing schedule which is included with this memorandum as Attachment A. The focus of this Study Session is to present:

- Contributing Factors informing the LUC Amendment;
 - Community engagement
 - Bellevue's response to homelessness
 - Enforcement and updated crime statistics
- Orientation to the initial Draft LUC Amendment; and
- Recommended Policy Topics and Discussion Schedule for Council review of the code.

DIRECTION NEEDED FROM COUNCIL

ACTION



DIRECTION



INFORMATION ONLY



Information tonight will focus on input received from the public engagement undertaken to-date, and recent data analyzed by Bellevue Police Department (BPD). Following an orientation to the initial Draft LUC Amendment, staff will describe the recommended policy topics and discussion schedule for review of the LUC amendment moving forward.

BACKGROUND

The City Council has been exploring and adapting the various components of Bellevue's response to homelessness in several initiatives over the years, including establishing and supporting a men's winter shelter, partnering with other Eastside jurisdictions to fund regional shelters, focusing investments in services to prevent and reduce homelessness through the human services funding process and adopting an affordable housing strategy. Over the course of approximately 18 months, those various initiatives and efforts have been drawn into a more comprehensive conversation, addressing the suite of facilities, services and enforcement that is needed to allow Bellevue to respond to this regional challenge in a way that reflects the values of this community.

This agenda memo focuses on the contributing factors and community input garnered over the past 18 months, including the more recent citywide survey and community workshops, and how this information is informing the code drafting process. Policy topics and an associated schedule for discussion are then described for moving the code development forward over the next several Council meetings.

CONTRIBUTING FACTORS

Community Engagement

Staff performed a comprehensive review of materials submitted by the public and community groups over the past several years, including the Due Diligence Report assembled by the City in March 2017. The community also submitted extensive input related to siting an Eastside men's permanent shelter and supportive housing facility in Eastgate via email, letters, oral communications and presentations. While this information was submitted specifically regarding the siting of a shelter in Eastgate, many of the comments and concerns raised were directly applied to drafting the initial LUC Amendment.

Based on all previous comments, a citywide survey was prepared and open for public input from March 7 until March 21, 2018. Staff compiled that information, together with the previous comments, and presented the results at a Community Workshop at City Hall on the evening of April 3, as well as at mini-workshops held on the morning of April 5 at Crossroads Community Center and the evening of April 5 at the South Bellevue Community Center. The Workshop at City Hall also included an optional listening session, attended by 52 community stakeholders.

On April 23, staff will provide a review of the information obtained from the recent on-line survey and three community workshops. A summary of the survey results is provided in Attachment B.

Bellevue Response to Homelessness

The updated information obtained during the 2018 One Night Count is not yet available, but the 2017 count found 284 unsheltered and 347 sheltered homeless individuals on the Eastside. As has been noted in several previous Council presentations, Bellevue, in partnership with other Eastside jurisdictions, and as part of county-wide efforts to coordinate responses to homelessness, has been actively responding to homeless individuals and families within our city for decades. Bellevue's approach is a complex balance across four categories:

- Services and interventions to prevent homelessness;
- Connecting homeless individuals to programs, services and stable housing;
- Facilities for individuals experiencing homelessness; and
- Law enforcement.

Eastside programs and services are provided by a variety of partners, including government agencies, non-profits, medical professionals and faith communities. Approximately one-third of Bellevue's Human Services Fund, about one million dollars, is disbursed across first three categories noted above. Community partners that receive funding include Congregations for the Homeless, HopeLink, Friends of Youth, The Sophia Way, Catholic Community Services, The Salvation Army, Imagine Housing, LifeWire, YWCA, Solid Ground, and Renewal Food Bank, among others.

Enforcement

The Bellevue Police Department (BPD), Park Rangers and Code Enforcement often are the first point of contact with individuals sleeping unsheltered on both public and private property. BPD has a long history of partnering with service providers to be a part of the community safety net that provides both assistance and maintains community standards. Bellevue Human Services funds a full-time outreach worker through Congregations for the Homeless, and BPD houses a satellite office of on-duty clinicians from the King County Community and Human Services Mobile Crisis Team.

Due to community questions, in November 2016, BPD compiled and presented crime data regarding what impact the existing emergency winter shelter had on the surrounding communities. While there was an increase in calls specifically to the winter shelter, data indicated the presence of the winter shelter did not appear to impact violent crime, warrant arrest or drug arrest rates. Data reported in 2016 did note that the property crime rate, specifically opportunity crimes such as car prowls trended up during the time the winter shelter was located in the BelRed area.

On April 23, BPD will provide an update on crime data surrounding the existing emergency winter shelter location at Lincoln Center.

DEVELOPMENT OF THE LAND USE CODE

LUC Amendment (LUCA) Process

The LUCA process aimed at regulating homeless services uses is a Process IV land use matter (City Council legislative action) in which the City Council has retained jurisdiction to conduct the public hearing rather than forwarding the matter to the Planning Commission. On January 22, Council held a Public Hearing to extend the IOC addressing homeless shelter permitting, and initiated the LUCA process necessary to complete permanent regulations while the extended IOC is in effect.

As discussed above, Council communicated the importance of encouraging and facilitating enhanced community engagement throughout this legislative process. The community input received over the last 18 months and from the survey and workshops identified above was the result of the direction provided by Council when it initiated the LUCA.

The initial Draft LUCA that is included with this memorandum as Attachment C was informed by the community input that has been received to-date. Specifically, this initial draft of the LUCA reflects what staff has read and heard, and incorporates this input to the greatest extent possible while adhering to the Council's goal of fostering establishment of a permanent shelter in Bellevue. The LUCA is drafted to apply citywide, to shelters for homeless individuals in general or to specific populations of

homeless individuals, and to foster success of the shelter in the specific neighborhood where it is sited. The LUCA also contains a community engagement framework that will apply to any future homeless shelter permitting process to support open communication and relationship building between the shelter operator and the community where any shelter is proposed to be located.

Community input will continue as the LUCA moves forward and Council reviews it for consistency with Council goals, priorities, and vision. After Council reviews the initial draft of the LUCA, considers the community input, and provides direction to move forward, staff will prepare a final Draft LUCA, along with a report that analyzes the LUCA's consistency with the Comprehensive Plan and addresses the requirements of the State Environmental Policy Act (SEPA).

Thereafter, the City Council will schedule, notice and hold a public hearing on the draft LUCA. Any person may participate in the public hearing by submitting written comments prior to the hearing or by submitting written or making oral comments to the Council at the hearing. In addition to the public hearing before Council, the East Bellevue Community Council (EBCC) will hold a courtesy public hearing on the draft LUCA.

Following the public hearings, the Council will finalize the LUCA based on its policies, goals, the public comments and input received over the course of the LUCA process, and the SEPA review conducted by staff. If Council adopts the LUCA, the EBCC will have approval/disapproval authority to apply the LUCA within its jurisdiction.

Policy Topics

Policy topics that will require Council consideration fall into three broad categories that include:

1. "Why and What;"
2. The Permit Process; and
3. "Where and How."

The "Why and What" policy topic would include consideration of the code provisions that describe the purpose of the homeless shelter permitting section, when the code applies, and how key terms are defined. The Permit Process policy topic would frame the discussion of how a permit for a proposed homeless shelter use will be reviewed by the City, and how a decision will be made on an application to establish and construct a permanent shelter for an identified homeless population. The "Where and How" policy topic would include consideration of the code provisions that describe where permanent shelter uses are permitted and how they must be constructed and operated to ensure that they are successful in the area of the City where they are proposed. Staff plans to present these three policy topics to Council on the following schedule.

Policy Topics Discussion Schedule and Next Steps

Schedule	Council Meeting Topics and Actions
May 7	Policy Topics: <ul style="list-style-type: none">• “Why and What” (Purpose, Applicability and Definitions)• Permit Process (Approval Process Required, Submittal Materials, and Good Neighbor Agreement Advisory Process)
May 21	Policy Topics: <ul style="list-style-type: none">• Any topics remaining from May 7 Study Session• “Where and How” (Use Charts, Development Standards/Use Requirements, and Design Guidelines) Set Public Hearing (unless additional policy discussion is necessary)
June 11	Public Hearing on Draft LUC Amendments (if policy discussion concluded) Final Direction on Draft LUC Amendments
June/July*	Adoption of LUC Amendments

**If permanent regulations are not adopted by August 6, Council will need to decide whether to hold another public hearing to extend the IOC for an additional 6 months.*

OPTIONS

N/A

RECOMMENDATION

N/A

ATTACHMENTS

- A. Processing Schedule for Homeless Shelter Permitting LUCA
- B. Survey Results Summary
- C. Initial Draft of the Permanent Homeless Shelter Land Use Code Amendment

AVAILABLE IN COUNCIL DOCUMENT LIBRARY

N/A