

CITY COUNCIL REGULAR SESSION

Public Hearing and action on Ordinance extending an Interim Official Control adopted by Ordinance No. 6513, which set reduced minimum parking standards in the Land Use Code for certain housing developments located near frequent transit service; providing for vesting and severability; and establishing an effective date.

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EXECUTIVE SUMMARY

On May 18, Council adopted Ordinance No. 6513 (Attachment A) imposing an Interim Official Control setting reduced minimum parking standards for certain housing developments located near frequent transit service and directed the development of a permanent Land Use Code Amendment (LUCA).

Per the requirements of the Growth Management Act (GMA), specifically RCW 36.70A.390, the City may extend the Interim Official Control for an additional six-month period if a subsequent public hearing is held and findings of fact are made prior to each renewal. The City has been delayed in developing the necessary code amendments to implement provisions in the Interim Official Control, and this work is scheduled to occur in 2021. As such, an extension of the Interim Official Control is necessary.

RECOMMENDATION

Move to adopt Ordinance No. 6541

BACKGROUND/ANALYSIS

Interim Regulations

The Interim Official Control addresses housing affordability and availability in Bellevue, in direct response to the City's Affordable Housing Strategy (AHS) adopted in 2017 and the COVID-19 pandemic, and conforms the LUC minimum parking standards to RCW 36.70A.620.

Prior to the Interim Official Control, the LUC provided for varying minimum parking requirements per the subject Land Use District in which the housing development was located. The prior LUC requirements did not consider the subject site's proximity to frequent transit service. The Interim Official Control reduced minimum parking standards for housing developments located near frequent transit service.

Frequent transit service in the Interim Official Control is defined consistent with RCW 36.70A.620, or "within one-quarter of a mile of a transit stop that provides service at least two times per hour for 12 or more hours per day for affordable housing units; and at least four times per hour for 12 or more hours per day for market rate multifamily housing units and housing units for seniors or people with disabilities." Locations in the City near frequent transit service are shown in Attachment B.

The reduced parking standards included in the Interim Official Control are the same as those currently in place within the City for transit-oriented Land Use Districts such as Eastgate and BelRed, as follows:

- 0.75 parking space per unit for affordable housing and market rate multifamily housing;

- parking for employees and guests only at housing for seniors and people with disabilities; or
- any minimum parking standards below the above.

Importantly, the proposed Interim Official Control sets a ceiling for the minimum required parking, but it does not mean that a residential development near frequent transit service cannot provide more parking than these standards. An applicant may still choose to provide additional parking beyond the minimum required parking standard based on market conditions and parking demand.

In addition, the Ordinance provides for vesting to the Interim Official Control for complete land use applications on the date of submission of the complete application. This vesting provision only applies to land use applications in review and/or submitted during the period that this Interim Official Control is in effect. Because these are interim measures, this vesting provision will provide necessary predictability for projects that are in the planning stages.

Process Requirements for an Interim Official Control

On May 18, Council adopted Ordinance No. 6513 imposing an Interim Official Control setting reduced minimum parking standards in the LUC for certain housing developments located near frequent transit service and directed staff to develop a permanent LUCA. Per the requirements of the GMA and RCW 36.70A.390, Council held a Public Hearing on the adoption of Ordinance No. 6513 within 60 days of the enactment, on July 6.

Under the terms of RCW 36.70A.390, the Interim Official Control adopted by Ordinance No. 6513 remains in effect for a period of six months and will expire on November 18. The Interim Official Control may be renewed for additional six-month periods, but only if the City holds a subsequent public hearing and makes findings of fact prior to each renewal. During the public hearing scheduled for October 26, Council will receive and consider public comment and testimony, which will satisfy the requirements necessary to extend the Interim Official Control for an additional six-month period.

Upcoming Steps:

- At the October 26 meeting, Council will hold a public hearing to consider approving an extension of the Interim Official Control for an additional six months, to May 18, 2021.
- If Council adopts the Ordinance extending the Interim Official Control on October 26, the East Bellevue Community Council (EBCC) will be asked to hold a Public Hearing on December 1 and approve/disapprove the extension Ordinance within the EBCC jurisdiction.
- The City will work to draft, consider and hold necessary hearings in order to adopt permanent LUCA related minimum parking standards in the LUC for certain housing developments located near frequent transit service.

POLICY & FISCAL IMPACTS

Policy Impact

This Interim Official Control is intended to quickly respond to and mitigate the affordable housing crisis in the City and throughout the region by amending the LUC to set reduced minimum parking standards for certain housing developments located near frequent transit service. The Ordinance advances the

AHS and other City policies, addresses the COVID-19 emergency, and timely conforms the LUC to the recently amended RCW 36.70A.620.

The City has been delayed in developing the necessary code amendments to implement provisions in the Interim Official Control, and this work is scheduled to occur in 2021. As such, an extension of the Interim Official Control is necessary. Under the terms of RCW 36.70A.390, the Interim Official Control may be renewed for additional six-month periods, but only if the City holds a subsequent public hearing and makes findings of fact prior to each renewal. The public hearing scheduled for October 26 for Council to receive and consider public comment and testimony will satisfy the requirements necessary to extend the Interim Official Control for an additional six-month period.

Fiscal Impact

There is no fiscal impact associated with implementing these changes.

OPTIONS

1. Hold the Public Hearing and adopt the Ordinance extending an Interim Official Control adopted by Ordinance No. 6513, which set reduced minimum parking standards in the Land Use Code for certain housing developments located near frequent transit service; providing for vesting and severability; and establishing an effective date.
2. Hold the Public Hearing, do not adopt the Ordinance, and provide alternative direction to staff.

ATTACHMENTS & AVAILABLE DOCUMENTS

- A. Ordinance No. 6513
 - B. Frequent Transit Service Map
- Proposed Ordinance No. 6541

AVAILABLE IN COUNCIL LIBRARY

N/A