



DATE: August 3, 2021

TO: Chair Hummer and Members of the East Bellevue Community Council

FROM: Trisna Tanus, Consulting Attorney  
Caleb Miller, Senior Planner  
*Development Services Department*

SUBJECT: Public Hearing – Ordinance No. 6585

## I. Introduction

On August 3, the East Bellevue Community Council (EBCC) will hold a public hearing and take action on Ordinance No. 6585 imposing an Interim Official Control (IOC) to allow permanent supportive housing and transitional housing in all land use districts where residential dwellings and hotels/motels are allowed, and to allow homeless services uses in all districts where hotels/motels are allowed. The City Council adopted Ordinance No. 6585 on July 12. A copy of the Ordinance is provided as Attachment A.

## II. Discussion

### A. Background

The City Council adopted Ordinance No. 6585 in response to the passage of House Bill (HB) 1220 in the Washington State Legislature. The new state legislation mandates that all cities allow the following:

- Permanent Supportive Housing and Transitional Housing in all land use districts where residential dwellings and hotel or motel uses are allowed; and
- Emergency Housing and Emergency Shelter in all land use districts where hotel and motel uses are allowed.

Prior to the adoption of the IOC, the Land Use Code (LUC) did not regulate the above-listed uses consistently with state law as amended under HB 1220. Therefore, this IOC is necessary to bring the LUC into immediate compliance with state law as amended under HB 1220 prior to the effective date of the bill, July 25.

### B. Interim Official Control

The IOC amends the LUC for immediate consistency with the mandates in HB 1220. The amendments include:

- New footnotes in land use tables stating that permanent supportive housing and transitional housing are allowed in all land use districts where residential dwellings or

hotel/motel uses are permitted, subject to any required approvals and dimensional standards of the corresponding land use district;

- Including Homeless Services Uses as a conditional use in the Neighborhood Mixed Use (NMU) and Office and Limited Business – Open Space (OLB-OS) land use districts, as hotels are currently permitted in those districts; and
- Revising the definitions of Homeless Services Uses to include references to Emergency Housing and Emergency Shelter definitions in the RCW, as codified under HB 1220.

The specific LUC sections amended with this IOC can be found in the Ordinance (Attachment A). Additional information and analysis of how the amendments are consistent with the decision criteria for amendments to the text of the LUC in LUC 20.30J.135 can be found in the staff report (Attachment B).

Notice and a public hearing are not necessary prior to adoption of an IOC, to allow for the regulations to be put in place quickly. However, a public hearing must be held within 60 days of its adoption; this required public hearing will be held during the August 2 City Council meeting. IOCs are effective for six (6) months following adoption and may be renewed for one or more six (6) month periods, provided a subsequent public hearing is held.

### **C. EBCC Jurisdiction**

The EBCC jurisdictional area contains primarily residential land use districts, though there are some smaller areas of commercial land use districts. Permanent supportive housing and transitional housing are both allowed in residential land use districts in the EBCC jurisdictional area, as well as those commercial districts where hotels and motels are allowed. Neither the NMU nor the OLB-OS districts are found in the area; therefore, there is no change to the allowance of Homeless Services Uses in the EBCC jurisdictional area under this IOC. See Attachment C for a map of the land use districts within EBCC jurisdictional area.

## **III. Comprehensive Plan**

LUC 20.30J.135 establishes the decision criteria for an application to amend the text of the Land Use Code. Those criteria, and the relationship of the IOC to them, are discussed in the staff report (Attachment B).

## **III. Action requested of the EBCC**

Following the public hearing and review of Ordinance No. 6585, the EBCC is requested to adopt Resolution No. 594 approving Ordinance No. 6585.

Staff will be present at the August 3 public hearing to answer any questions you may have. If there are questions prior to this meeting, please contact Caleb Miller, 452-4574 or at [cwmiller@bellevuewa.gov](mailto:cwmiller@bellevuewa.gov).

### **ATTACHMENTS:**

- A. Ordinance No. 6585
- B. Staff Report
- C. EBCC Jurisdictional Area Zoning Map