



# Bellevue Planning Commission

September 22, 2021

## PLANNING COMMISSION PUBLIC HEARING ITEM

### **SUBJECT**

Public Hearing on a proposed Land Use Code Amendment (LUCA) to establish a density bonus and additional modifications to other standards and requirements in the Land Use Code (LUC) for affordable housing developments on certain public, non-profit, or religious organization-owned properties. The LUCA is required for consistency with RCW 35A.63.300 and advances the City's Affordable Housing Strategy (AHS) Action C-1. File No. 21-102681-AD.

### **STAFF CONTACT(S)**

Kristina Gallant AICP, Senior Planner, 452-6196

Trisna Tanus, Consulting Attorney, 452-2970

*Development Services Department*

### **POLICY ISSUES**

The proposed LUCA is required for consistency with RCW 35A.63.300 and advances the Affordable Housing Strategy (AHS). RCW 35A.63.300, adopted by the Washington State Legislature in 2019, requires the City to offer a density bonus for affordable housing development on property owned by religious organizations.

The requirements in RCW 35A.63.300 align with Action C-1 of the AHS, which seeks to “increase development potential on suitable land owned by public agencies, faith-based and non-profit housing entities for affordable housing.” In 2020, the City Council adopted a Comprehensive Plan Amendment (CPA) through Ordinance No. 6562 adding these policies for the implementation of RCW 35A.63.300 and Action C-1:

- **Policy HO-33:** Implement Affordable Housing Strategy C-1 by providing bonuses and incentives to increase permanently affordable housing on any qualifying property owned by faith-based or non-profit housing entities, or on surplus property owned by public entities.
- **Policy HO-34:** Implement the bonuses and incentives for qualifying properties to respond to the different conditions of multifamily and single family land use districts that are outside of Downtown, BelRed, and Eastgate TOD.

### **Glossary definition:**

Qualifying properties: Multifamily property that is owned by faith-based, or non-profit housing entities, or surplus property owned by public entities; or single family property that is owned by faith-based entities.

### **DIRECTION NEEDED FROM THE PLANNING COMMISSION**

ACTION	DIRECTION	INFORMATION ONLY
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Staff requests that the Planning Commission hold the Public Hearing on the proposed LUCA and, following the Public Hearing, recommend to the City Council approval of the proposed LUCA.

#### **BACKGROUND/ANALYSIS**

The content of the LUCA was reviewed and discussed in three study sessions on April 14, May 12, and June 23. At the June 23 Study Session, the Planning Commission directed staff to schedule the LUCA for Public Hearing. The Staff Report describing the background and review process, including demonstrating the LUCA's compliance with the decision criteria, is included with this Memorandum as Attachment A.

The proposed LUCA will repeal and replace LUC 20.20.128 and amend other provisions in chapters 20.10, 20.20, 20.25A, 20.25D, 20.25P and 20.50 LUC to establish a density bonus for affordable housing developments on certain public, non-profit, or religious organization-owned properties, consistent with State regulations and recently adopted Comprehensive Plan policies. A strike-draft of the proposed LUCA is provided as Attachment B.

#### **East Bellevue Community Council (EBCC) Courtesy Hearing**

The EBCC held a courtesy hearing on the proposed LUCA on September 8. The EBCC held this courtesy hearing ahead of the Planning Commission Public Hearing in order for the EBCC to have the opportunity to review the proposed LUCA, hear public testimony, and provide input to the Planning Commission prior to the Planning Commission public hearing and recommendation.

Following a staff presentation and courtesy hearing, EBCC members expressed support for building affordable housing in areas with access to future light rail, but shared a belief that the EBCC jurisdictional area has already accommodated a greater share of affordable housing relative to the rest of the city. EBCC members encouraged affordable housing production in other neighborhoods such as Downtown, Eastgate and BelRed. EBCC member also discussed transportation impacts, and that the "Super Bonus" could be detrimental to neighborhoods and would exceed their understanding of the minimum state mandate.

#### **Public Engagement**

Staff developed a public engagement plan with three modes of outreach to ensure the public, stakeholders, and interested parties have the opportunity to be informed and to provide comments.

1. **Process IV Requirements.** Process consistent with Chapter 20.35 LUC procedural requirements to provide opportunities for public comment, including:
  - Notice of Application of the proposed LUCA on March 4; and
  - Public hearing on the proposed LUCA on September 22.
2. **Direct Engagement and Feedback.** Dialogue with representatives of faith organizations, affordable housing providers, and neighborhoods.
3. **Online Presence.** Engaging Bellevue and city webpage to provide opportunities for the public to stay informed, including:
  - Staff contacts; and
  - Public information regarding LUCA progression.

### **Anticipated Schedule**

The anticipated timeline for processing the LUCA is as follows. Items related to the CPA are italicized and provided for background information.

- *CPA City Council Initiation: July 2020*
- *CPA Outreach: August – October 2020*
- *CPA Planning Commission Study Sessions: September 2020*
- *CPA Planning Commission Public Hearing & Recommendation: October 2020*
- *CPA City Council Adoption: December 2020*
- Stakeholder Outreach: February – March 2021
- Planning Commission Study Sessions: April 14, May 12, and June 23
- EBCC Courtesy Hearing: September 8
- Planning Commission Public Hearing and Recommendation: September 22
- City Council Study Session: to be scheduled
- City Council Action: to be scheduled
- EBCC Public Hearing and Approval/Disapproval: to be scheduled

### **ATTACHMENT(S)**

- A. Staff Report
- B. Strike-Draft of Proposed LUCA