

CITY OF BELLEVUE  
CITY COUNCIL

Summary Minutes of Regular Meeting

June 26, 2023  
6:00 p.m.

Council Chambers  
Bellevue, Washington

PRESENT: Mayor Robinson, Deputy Mayor Nieuwenhuis and Councilmembers Barksdale, Lee, Robertson, Stokes and Zahn

ABSENT: None.

1. Call to Order

The meeting was called to order at 6:02 p.m., with Mayor Robinson presiding.

2. Roll Call; Flag Salute

City Clerk Charmaine Arredondo called the roll and all Councilmembers were present. Councilmember Robertson led the flag salute.

(a) Parks and Recreation Month Proclamation

Councilmember Stokes read the proclamation recognizing July 2023 as Parks and Recreation Month in Bellevue. He urged everyone to enjoy and recognize the many benefits of our parks, natural areas, trails and recreation facilities.

Michael Shiosaki, Director, Parks and Community Services Department, thanked the Council for the proclamation and for attending the grand opening of the Downtown Park art installation over the weekend.

(b) Nav Otal Commendation

Mayor Robinson read the commendation of Utilities Director Nav Otal's 30-year career with the City. Ms. Robinson praised Ms. Otal's leadership and her emphasis on exceptional customer service, excellence in the essential work of utilities services, best practices and innovations, and developing the department's future leaders.

Ms. Otal thanked Mayor Robinson and the Council for the recognition. She recalled her impression when working as an intern that the City was well managed, forward-thinking and

valued public service, integrity and innovation. She said she is proud of Bellevue Utilities' financial position reflecting no debt, the ongoing active replacement of aging infrastructure, and long-range planning for funding infrastructure. Ms. Otal thanked the City Manager, the Leadership Team and the Council for their ongoing support and commitment to sound financial policies coupled with long-range planning. She praised Utilities Department staff as smart, innovative, hard working and collaborative. She expressed confidence in the competence and expertise of her co-workers as she retires. Ms. Otal thanked her family for their support throughout her career.

City Manager Brad Miyake thanked Ms. Otal for her contributions and strategic perspectives in working with the Leadership Team. Mr. Miyake commended Ms. Otal for her ability to assess problems and implement solutions. He noted that they previously worked together in the Utilities Department.

Councilmember Lee, liaison to the Environmental Services Commission, said he and Ms. Otal have been involved with the City for 30 years. He noted Ms. Otal's commitment to public service and her current role on the Sammamish Plateau Water District's Board of Commissioners. He commended her for being fiscally responsible in terms of operations and long-term planning. As liaison to the Environmental Services Commission over the past two years, Mr. Lee said he has observed that Ms. Otal hires and trains the right people and treats them well. He said the Utilities Department's presentation and tour is the most popular class of the Bellevue Essentials program.

Councilmember Robertson praised Ms. Otal's leadership, professionalism and stewardship of municipal resources. Ms. Robertson said she was not aware of any city other than Bellevue that plans utilities infrastructure for a 80-year horizon. She thanked Ms. Otal for her involvement in many initiatives and improvements throughout her career. Ms. Robertson thanked Ms. Otal for being a strong advocate for Bellevue in addressing regional utilities issues. Ms. Robertson wished Ms. Otal well in her retirement.

Councilmember Stokes recalled that when he first joined the Council and served as liaison to the Environmental Services Commission, Ms. Otal and her staff provided an extensive overview of the City's utilities system for him. Mr. Stokes said he enjoyed working with Ms. Otal through his involvement with the Cascade Water Alliance. Mr. Stokes thanked Ms. Otal for her contributions to the community.

Mayor Robinson said she will miss Ms. Otal and she enjoyed learning so much from her. Ms. Robinson praised Ms. Otal's financial and long-range planning and wished her well in retirement.

Councilmember Zahn congratulated Ms. Otal for her 30 years of service. Ms. Zahn acknowledged Ms. Otal's leadership in a profession that continues to employ more men than women. Ms. Zahn thanked her for always working to do what is best for the community.

Deputy Mayor Nieuwenhuis said he learned so much from Ms. Otal and staff when he served as liaison to the Environmental Services Commission. Mr. Nieuwenhuis thanked Ms. Otal for all she has done for the City and for leaving the Utilities Department in good hands.

Councilmember Barksdale thanked Ms. Otal for her many years of service and noted that he enjoyed working with her related to the Cascade Water Alliance and the flood control district. Mr. Barksdale highlighted Ms. Otal's interest in innovation and smart technologies.

3. Approval of Agenda

→ Deputy Mayor Nieuwenhuis moved to approve the agenda, and Councilmember Stokes seconded the motion.

→ The motion carried by a vote of 7-0.

4. Oral Communications

City Clerk Arredondo reminded the public that election-related topics may not be discussed during oral communications, including promoting or opposing a ballot measure or candidate.

- (a) Cathy Relyea, chair of the building committee at St. Peter's United Methodist Church, recalled that her pastor testified on November 14, 2022 urging the Council to adopt criteria that would make St. Peter's eligible for the affordable housing density bonus rezone. She thanked the Council for listening to their request. She noted the potential for the church to transform five acres into 70 units of affordable housing, including three- and four-bedroom apartments.
- (b) Barbara Braun said she appreciated staff's work on the tree code and she thanked the Council and staff for listening to the community. She expressed support for the 40-percent tree canopy goal. She encouraged codes that apply to both commercial and single-family residential development. She suggested stricter provisions regarding the removal of trees as well as requirements for replacing and maintaining trees. She asked the Council to consider codes that encourage native and drought-tolerant trees. She asked the Council to preserve the trees at Airfield Park.
- (c) Anne Coughlin, a clinical psychologist, urged the Council to follow the state mandate to criminalize the possession and distribution of illegal drugs in Bellevue. She said it was unfortunate that Seattle did not follow the state mandate. She commented on the epidemic of opioid overdoses and deaths. She thanked Congregations for the Homeless (CFH) for their work in the community.
- (d) Tim Hay said he has lived in the Wilburton neighborhood for 59 years and built homes for 26 years. He said tree codes will not be followed unless there are enforcement mechanisms to protect mature trees. He suggested that the City establish tree inspectors for enforcement purposes.

- (e) Joe Kunzler encouraged the Council to find a code of conduct for meetings and to censure a troubled individual who speaks on a regular basis. He thanked Councilmembers for their public service.
  - (f) Sue Mercer described her organization that helps individuals experiencing homelessness. She noted her experience as an osteopathic family physician and former substance abuse program coordinator. She spoke in favor of preserving the meadow at Airfield Park.
  - (g) Michelle Lindstrom expressed support for the efforts of the Save Coal Creek organization to preserve the Swanson property in the Lakemont area as open space. She commented on the environmental, historical and recreational attributes of the site. She encouraged the City to add an interpretative center at the location. She commented on the wildlife on the property
  - (h) Dave Moehring expressed support for the Trees 4 Livability organization's recommendations and other efforts to preserve trees and expand the urban forest. He said the City conducted a good tree canopy study in 2018. He encouraged the Council to consider stricter tree regulations.
  - (i) Jack Lindstrom spoke in support of the Save Coal Creek initiative to preserve 12 acres as park and open space. He commented on the historical significance of the area and its role in providing wildlife habitat. He expressed concern regarding the lack of parks and open space in urban areas. He thanked the Council for taking care of this beautiful city.
  - (j) Rizwan Samad said he has lived in Bellevue for more than 30 years. He described an incident in Bellevue earlier in the day in which he was threatened by an individual using racial slurs. He said he called 911 and was disappointed in the response. He talked to the dispatcher for eight minutes and he said the dispatcher could hear everything that was happening. He said a police officer arrived after approximately 20 minutes. Mr. Samad expressed concern about public safety in Bellevue and encouraged the City to hire more police officers.
5. Reports of Community Councils, Boards, and Commissions: None.
6. Report of the City Manager:
- (a) 2023 ORBIE Award

Nathan McCommon, Deputy City Manager, said the City's Chief Information Officer, Sabra Schneider, received a 2023 ORBIE award for demonstrating excellence in technology leadership. The award is among the highest forms of recognition for chief information officers in public and private organizations.

Ms. Schneider thanked the Council, the City Manager, and Information Technology Department staff for their support and hard work represented by the award.

(b) New Drug Possession and Use Law and Implications for Bellevue

City Manager Miyake introduced discussion regarding a change in state law related to drug possession and use.

City Attorney Kathy Gerla said Senate Bill 5536 to address the expiration of the Blake bill designates knowingly possessing a controlled substance and/or knowingly using a controlled substance in public as gross misdemeanors. The maximum penalty for the first two convictions is 180 days in jail and a \$1,000 fine. Additional convictions may result in 364 days in jail and a \$5,000 fine. Ms. Gerla said the state legislature added a new misdemeanor crime of knowingly using legend drugs without a prescription in a public place. The maximum penalty is 90 days in jail and a \$1,000 fine.

Ms. Gerla said SB 5536 includes a broad state preemption of local authority to regulate drug paraphernalia except when related to harm reduction services. City laws must be consistent with and not more stringent than state law. Ms. Gerla said there is no need for Bellevue code changes related to drug paraphernalia crimes. The Blake bill adopted in 2021 required two police referrals to substance use disorder treatment before pursuing an arrest. That provision expires on August 14, 2023. Ms. Gerla said police officers are encouraged to continue with pre-arrest referrals, however, and prosecutors are encouraged to divert cases for treatment as well.

Wendell Shirley, Chief of Police, said officers will continue to be encouraged to refer individuals to substance use disorder treatment at least two times before an arrest. He clarified that this applies to simple possession only and not to the sale of drugs.

Ms. Gerla said there are times when it is appropriate for the prosecutor to offer a pre-trial diversion to a substance use disorder assessment in return for dismissal of the case. A judge may also order treatment as part of sentencing. Ms. Gerla said the City's probation division implements the required assessment and treatment.

Andrew Popochock, Assistant Chief, Police Department, said that from July 25, 2021 through May 31, 2023, the Bellevue Police Department made a total of 343 referrals to substance use disorder assessment and services. Of those, 109 persons were referred once and 110 persons were referred two or more times. Chief Popochock said police data collection currently tracks information regarding age, sex, race, ethnicity and Bellevue resident status. Future data tracking could include geographic areas, sexual orientation and income levels of individuals.

Ms. Gerla presented data regarding referrals for treatment over the past three years. In 2020, there were 680 cases with 30 percent involving a treatment referral intervention and 53 percent successfully completing the assessment or treatment. In 2021, there were 609 cases with 39 percent involved in treatment referrals and 74 percent successfully completing treatment. In 2022, there were 457 cases with 43 percent involving treatment intervention and 70 percent completing treatment.

Toni Esparza, Assistant Director, Parks and Community Services Department, said the recidivism rate for individuals who completed treatment was nine percent and the recidivism rate

for those who did not complete treatment was 38 percent. Ms. Esparza said the City received opioid settlement funding and the use of the money will be guided by a memorandum of understanding (MOU).

Ms. Esparza recalled the Council's interest in a community court. She said staff is researching other community courts to better understand the financial implications and facility needs.

Ms. Gerla said SB 5536 includes limits on local land use authority. The bill identifies essential public facilities to include opioid treatment programs (including mobile and fixed-site medication units), recovery residences, and harm reduction programs excluding safe injection sites. Ms. Gerla said that under the Growth Management Act (GMA), a local government cannot prohibit the siting of these essential public facilities. She said conditional use permit requirements for an opioid treatment program must be applied similarly to other essential public facilities and health care settings. A local government may not place a maximum capacity limit on the number of participants in an opioid treatment program.

(c) Second Quarter Economic Development Update  
*[Written information only. No presentation.]*

7. Council Business and New Initiatives

- Deputy Mayor Nieuwenhuis moved to excuse Councilmember Robertson from the July 10, 2023 Regular Meeting. Councilmember Stokes seconded the motion.
- The motion carried by a vote of 7-0.
- Councilmember Lee moved to appoint Gabby Lacson, Kurt Lutterman and Michael Margolis to the Environmental Services Commission to serve full terms expiring May 31, 2027. Councilmember Stokes seconded the motion.
- The motion carried by a vote of 7-0.

Councilmember Stokes recommended the appointment of Michelle Valverde to the Parks and Community Services Board.

- Deputy Mayor Nieuwenhuis moved to appoint Michelle Valverde to the Parks and Community Services Board to serve a full term expiring on May 31, 2027. Councilmember Robertson seconded the motion.
- The motion carried by a vote of 7-0.

8. Consent Calendar

- Deputy Mayor Nieuwenhuis moved to approve the Consent Calendar, and Councilmember Stokes seconded the motion.

- The motion to approve the Consent Calendar carried by a vote of 7-0, and the following items were approved:
- (a) Council Minutes  
*Minutes of June 5, 2023 Regular Meeting*  
*Minutes of June 12, 2023 Regular Meeting*
  - (b) Motion to approve payment of claims and payroll for the period May 1, 2023 – May 31, 2023.
  - (c) Motion to award Bid No. 22053 for Cougar Mountain 1 Pump Station Rehabilitation Project to Award Construction, as the lowest responsive and responsible bidder, in an amount not to exceed \$2,939,670, plus all applicable taxes (CIP Plan No. W-91).
  - (d) Resolution No. 10272 authorizing execution of the Interlocal Agreement among the cities of Bellevue, Kirkland, and Redmond Transportation Forecast Model Platform Development and Maintenance and termination of the existing Interlocal Agreement authorized under Resolution No. 6842.
  - (e) Resolution No. 10273 authorizing execution of a three-year Professional Services Agreement with David Evans and Associates, Inc., to provide on-call general engineering services for Transportation City and levy funded Capital Investment Program (CIP) projects, in an amount not to exceed \$750,000, plus all applicable taxes, with an option to extend the contract for two years for \$500,000, plus all applicable taxes, with the same terms and conditions.
  - (f) Resolution No. 10274 authorizing execution of a State Funding Agreement (and supplements if necessary) with the Washington State Department of Transportation (WSDOT) to accept an initial amount up to \$300,000 in state Move Ahead Washington funding to support completion of design and right of way for the Mountains to Sound Greenway (142nd Place SE to the Nonmotorized Overcrossing of 150th Avenue SE) Project.

At 7:30 p.m., Mayor Robinson declared a short break. The meeting resumed at 7:40 p.m.

9. Public Hearings: None.

10. Study Session Items

- (a) Land Use Code Amendment (LUCA) and Bellevue City Code Amendment (BCCA) to support tree preservation, retention, replacement, and protection.

City Manager Miyake introduced discussion regarding policies and regulations to support tree preservation, retention, replacement and protection.

Nick Whipple, Planning Manager, recalled that in November 2022, the Council directed staff to initiate a phased approach to developing a Land Use Code Amendment (LUCA) and the appropriate Bellevue City Code amendments to address tree regulations.

Kristina Gallant, Senior Planner, said Strategy N.1. of the City's Environmental Stewardship Plan 2021-2025 includes a 40-percent tree canopy goal, encourages incentives for tree plantings and preservation, and identifies opportunities for tracking data.

Ms. Gallant said the goals of the tree canopy code update project are to: 1) conduct a comprehensive code review to address tree preservation, retention, replacement and protection, 2) balance tree regulations with housing production needs, 3) improve the function and clarity of the code, and 4) capture better data. She said the first phase of public engagement has been completed and included input via the Engaging Bellevue web site, listening sessions, an online questionnaire and a public information session. Phase two of the public engagement plan begins in July and will include up to six listening sessions, additional public information sessions and a public hearing before the Planning Commission.

Ms. Gallant said the questionnaire was provided in seven languages and 687 responses were received. She noted that 92 percent of the respondents live in Bellevue and tended to be older, longer term residents who were more likely to identify as white, female and homeowners. She said the questionnaire was publicized widely through social media, mailing lists, neighborhood associations and other activities. In response to a multiple choice question about the most important objective of the tree canopy project, 46 percent chose: "To enhance the overall health of Bellevue's tree canopy by balancing planting new trees and preserving established trees."

Ms. Gallant highlighted the themes heard to date through public engagement. People are concerned that too many trees are being removed as part of development and redevelopment. They are concerned about lot clearings and losing large trees. Ms. Gallant said there was stronger support for limiting the removal of landmark trees than for limiting the removal of significant trees. She noted comments from the public that mitigation requirements for tree loss are not sufficient, people are not aware of regulations and that the regulations should not be too complicated or too costly for property owners.

Ms. Gallant described public input regarding the benefits of large trees, importance of tree diversity, flexibility to retain trees with the best chances for survival after development, and providing a more consistent canopy across neighborhoods. She noted comments from the public that property owners should maintain the right to make decisions based on their preferences regarding types of trees, light, shade and other factors. She said discomfort about living next to large trees is a commonly heard sentiment as well.

Public input regarding development capacity recommended that regulations must be predictable and objective, provide flexibility, include considerations for different development types and identify incentives to encourage better outcomes. Ms. Gallant said public input reflects concerns that Bellevue's regulations are too weak and that there is a lack of consequences for violations. She said there is support for financial penalties and for provisions regarding qualified tree service providers.



Ms. Gallant said staff recommends that the scope of the tree canopy project include an update of the definition of significant tree, a permanent definition for landmark tree and a new definition for a hazardous tree. Initial scope recommendations related to tree removal include requiring a permit for removing significant trees, discouraging lot clearing before development, expanding tree replacement requirements and evaluating potential financial penalties. Project scope recommendations related to tree retention include evaluating an alternative minimum canopy approach, clarifying the duration of tree retention, updating the retention criteria and codifying key protections during construction.

Ms. Gallant said staff will work with the Planning Commission to develop the recommended LUCA and BCC amendments. The commission will hold a public hearing later this year and forward its recommendation to the City Council for review and action by the end of the year.

Mayor Robinson thanked staff for the presentation.

Councilmember Barksdale thanked Ms. Gallant for the information. Responding to Mr. Barksdale, Ms. Gallant said the project has had a broader reach than many projects. However, staff continues to work with a consultant to target underrepresented populations.

Responding to Mr. Barksdale, Ms. Gallant highlighted additional public engagement efforts, including collaborations with the City's neighborhood outreach staff.

Councilmember Robertson commented that it is important to plant the right tree species in the right place. She asked whether the City should consider incentivizing and providing enhanced protection for planting and preserving certain species. She noted that some people prefer trees while others prefer views. She suggested incentivizing the retention of wildlife habitat.

Ms. Robertson spoke in favor of implementing some type of enforcement process, perhaps based on the number of trees removed during the previous three years.

Councilmember Zahn said she appreciated her colleagues' comments. She said it is important to have clear regulations for both residents and builders/developers. She encouraged the City to continue to explore ways to work with property owners to protect trees. Ms. Zahn expressed concern regarding pre-clearing tree removal before the sale of a property. She spoke to the objective of distributing the tree canopy as equally as possible across Bellevue. She asked for more information about the suggestion from the public for a tree inspector.

Councilmember Lee recalled past discussions over the years about trees, people who like trees and people who like views. He said the Bridle Trails neighborhood successfully lobbied for stricter tree regulations in their area while residents of other neighborhoods (e.g., South Bellevue) want to preserve views. He expressed support for incentives to achieve desired outcomes. He concurred with the need for public education regarding definitions and regulations.

Mayor Robinson stated her understanding that the recommended tree canopy for a city the size of Bellevue is 40-60 percent. She said she would like further discussion about the implications of increasing the tree canopy goal to 50 percent. She expressed support for ongoing tree plantings.

Ms. Robinson asked whether the tree codes will be included in the Comprehensive Plan. Ms. Gallant said the code amendments can move forward independent of the periodic Comprehensive Plan update. Ms. Robinson said she would like to see the City's values around trees reflected throughout the Comprehensive Plan. Mr. Whipple confirmed that staff will consider the tree codes during the Comprehensive Plan update.

Mayor Robinson said she is interested in preventing tree cutting that precedes the sale of properties for development. She is interested in considering incentives and in the concept of a tree inspector. She would like to see staff develop a list of recommended trees for specific sites and uses.

Responding to Deputy Mayor Nieuwenhuis, Ms. Gallant said the neighborhood organizations involved in public outreach included neighborhood homeowners associations. Mr. Nieuwenhuis suggested it is important to reach out to every neighborhood association to solicit input regarding the tree codes.

Responding to Mr. Nieuwenhuis, Ms. Gallant said staff's goal is to achieve Council adoption of the LUCA and other code amendments by the end of the year. She said Phase 2 extends through the summer and into early fall. Staff will bring the Planning Commission's recommendations for the Council's consideration later this year.

Mr. Nieuwenhuis said public education will be critical given the potential complexity of the regulations. He encouraged a clear process for permit applicants. He expressed an interest in an analysis of increasing the tree canopy goal above 40 percent.

Councilmember Stokes said that increasing the tree canopy in neighborhoods does not necessarily have a significant impact citywide. Ms. Gallant said a large portion of Bellevue's tree canopy is in parks and open spaces. She acknowledged that tree canopy coverage varies throughout Bellevue.

Mr. Stokes encouraged continued public outreach to hear from the community. He said the City sometimes hears more from interest groups and activists instead of from individuals and community organizations. He said this is a complex issue and he appreciated staff's comprehensive approach.

Mr. Stokes spoke in favor of educating the public about the best types of trees to plant and preserve. He said there are many more trees in Bellevue now than when he moved here. However, the downtown has expanded as well.

Mr. Stokes said the City needs to do something that really makes a difference in terms of achieving the desired outcomes for the tree canopy.

- (b) Amendments to the Bellevue Criminal Code, Title 10 of the Bellevue City Code (BCC), to update and recodify criminal violations.

Ordinance No. 6745 repealing Chapter 10.02 of the Bellevue City Code (BCC) and adopting a new Chapter 10.02 BCC for incorporating by reference Washington State Statutes; providing for severability; and establishing an effective date.

City Manager Miyake introduced staff's briefing regarding a proposed amendment to the Bellevue Criminal Code.

City Attorney Gerla introduced Stephen Penner, Chief Prosecutor in the City Attorney's Office, and noted that he leads a team of individuals who prosecute misdemeanor and gross misdemeanor crimes. Ms. Gerla said staff is seeking direction to update and recodify criminal violations codes to continue to provide prosecutors with the authority to prosecute all misdemeanors and gross misdemeanors in Bellevue.

Mr. Penner said that felony cases are referred to King County and Bellevue prosecutors handle all misdemeanor and gross misdemeanor crimes. A crime must be a violation of the Bellevue City Code in order to be prosecuted by the City.

Mr. Penner said staff is seeking Council direction to amend the Bellevue Criminal Code, Title 10, to update and recodify misdemeanor and gross misdemeanor offenses for consistency with the statutes in the Revised Code of Washington (RCW). The Bellevue code reference to the RCW will cover current laws and future revisions to the applicable state law. Mr. Penner noted that the state legislature recently created new crimes, which need to be incorporated into the Bellevue Criminal Code in order for the City to prosecute the crimes.

Deputy Mayor Nieuwenhuis spoke in favor of maintaining consistency with state law.

→ Deputy Mayor Nieuwenhuis moved to adopt Ordinance No. 6745, and Councilmember Robertson seconded the motion.

Councilmember Robertson said that in a sense, this is a housekeeping ordinance to match state law. However, the action will help to ensure that Bellevue prosecutors can prosecute crimes in Bellevue, including drug possession and public use of an illegal substance. She noted the ongoing increase in overdoses and overdose deaths. She said society should help individuals suffering from substance use disorder, and sometimes prosecution is the only avenue for that to occur.

Responding to Councilmember Barksdale, Ms. Gerla said the State did not add new crimes for many years. However, that is changed in recent years and incorporating state law by reference will ensure that future new crimes can be prosecuted under the City Code.

Councilmember Zahn thanked staff for their work. She encouraged future consideration of community courts and other forms of diversion.

Councilmember Stokes concurred with Ms. Zahn and expressed support for the ordinance.

Councilmember Lee expressed support for the ordinance and for helping individuals with substance use disorder.

Mayor Robinson expressed support for the ordinance. However, she noted that treatment must truly be available for people in need of help. Separate from this action, she would like staff to monitor whether the City has adequate funding for substance use disorder treatment. City Manager Miyake said staff would follow up with more information.

Deputy Mayor Nieuwenhuis concurred about the need for funding for treatment services. He said overdose deaths continue to increase nationwide. He noted that two Bellevue girls recently experienced non-fatal overdoses.

→ The motion carried by a vote of 7-0.

(c) Intergovernmental Affairs [*Written information only. No presentation.*]

11. Land Use: None.

12. Other Ordinances, Resolution, and Motions

(a) Ordinance No. 6743 amending Land Use Code (LUC) Chapter 20.10 Land Use Districts, Chapter 20.20 General Development Requirements, and Chapter 20.30B Conditional Use Permit to establish criteria and procedures in the LUC for certain properties owned by religious organizations and located in single family Land Use Districts to be rezoned to allow permanently affordable multifamily housing; providing for severability; and establishing an effective date.

City Manager Miyake introduced staff's presentation regarding the Land Use Code Amendment (LUCA) and rezone to increase affordable housing capacity on faith-owned properties.

Mr. Whipple said the LUCA provides a substantial increase in the development capacity of faith-owned properties. He said staff is seeking Council action on Ordinance No. 6743 to adopt the LUCA and Ordinance No. 6744 to approve the rezone.

Ms. Gallant said the LUCA provides rezone eligibility criteria, which include that the property must be owned or controlled by a religious organization and meet the location criteria of being in a single-family district within 500 feet of multifamily or commercial land use districts. The property must be located on an arterial street or either within one-half mile of transit service four times or more per hour or within one-quarter mile of transit service two or more times per hour.

Ms. Gallant said 36 sites currently meet the LUCA criteria for the development of affordable housing. The rezone will apply the Affordable Housing (AH) suffixes consistent with the LUCA.

Ms. Gallant noted that the actual production of housing depends on property owners' priorities, funding capacity and partner organization capacity.

The public engagement process has followed Process IV requirements related to the Planning Commission meetings, legal noticing and holding the required public hearing. Direct engagement and feedback were initiated through letters to eligible sites and individual conversations with religious organization representatives and affordable housing developers. Ms. Gallant noted that a virtual information session was held on January 31 and additional information is available on the project's web page.

Ms. Gallant recapped the LUCA process, which was initiated on December 12, 2022 by the Council after the Comprehensive Plan Amendment (CPA) was adopted. The Planning Commission held three discussions and a public hearing before submitting its recommendation to the Council on April 12, 2023. The City Council discussed the draft LUCA further on May 22, 2023.

Mayor Robinson thanked Ms. Gallant for the presentation.

→ Deputy Mayor Nieuwenhuis moved to adopt Ordinance No. 6743, and Councilmember Lee seconded the motion.

Councilmember Zahn expressed strong support for the ordinance, noting the potential for a total of roughly 5,000 affordable housing units on all of the eligible sites.

Councilmember Lee expressed support for efforts to encourage faith-based organizations to provide affordable housing.

Responding to Mayor Robinson, Ms. Gallant said four churches have expressed an interest in projects.

→ The motion carried by a vote of 7-0.

(b) Ordinance No. 6744 amending the selected land use designations to incorporate Affordable Housing (AH) suffixes, consistent with Affordable Housing Strategy (AHS) Action C-1, Phase 2, Comprehensive Plan Amendments (CPA) and Land Use Code Amendment (LUCA); providing for severability; and establishing an effective date.

→ Deputy Mayor Nieuwenhuis moved to adopt Ordinance No. 6744, and Councilmember Stokes seconded the motion.

→ The motion carried by a vote of 7-0.

13. Unfinished Business: None.

14. New Business: None.

15. Executive Session: None.

16. Adjournment

Mayor Robinson said no meeting would be held on July 3 and the next Council meeting would be held on July 10.

At 8:50 p.m., Mayor Robinson declared the meeting adjourned.

Charmaine Arredondo, CMC  
City Clerk

/kaw