

**EAST BELLEVUE COMMUNITY MUNICIPAL CORPORATION
OF THE CITY OF BELLEVUE, WASHINGTON**

Resolution No. 571

A RESOLUTION of the East Bellevue Community Council disapproving City Council Ordinance No. 6419 amending the Bellevue Land Use Code, Title 20 of the Bellevue City Code, by adding new section 20.20.455 providing regulations for the permitting of Homeless Services Uses; amending the Services Use Charts to identify the Land Use Districts where Homeless Services Uses may be permitted; adding new definitions to section 20.50.038 for consistency with new section 20.20.455 LUC; providing for severability; and establishing an effective date.

WHEREAS, in 2008 the City of Bellevue agreed with the cities of Redmond and Kirkland to host an emergency men's shelter; and

WHEREAS, in 2014 Bellevue City staff, per City Council direction, selected and reviewed 14 publicly held sites for consideration as locations for a permanent emergency men's shelter; and

WHEREAS, on September 29, 2016, an open meeting was held at the Champions Centre detailing the proposed men's shelter to the public; and

WHEREAS, on October 25, 2016, at a second open meeting, Council assured the assembly that citizens would be involved in the process and that the proposed Eastgate site for a 100-bed low barrier shelter was not a done deal; and

WHEREAS, in November 2016, a Due Diligence Committee was formed to investigate shelter sites in other cities; and

WHEREAS, City Council meetings had many individuals speaking for and against the proposed shelter and the process; and

WHEREAS, on August 7, 2017, the City Council adopted Ordinance No. 6368, imposing an Interim Official Control (IOC) regarding the permit process required to establish a homeless shelter and identifying the Land Use Districts where a homeless shelter may be permitted; and

WHEREAS, on September 25, 2017, the City Council held a public hearing on the IOC adopted by Ordinance No. 6368 as required by RCW 36.70A.390; and

WHEREAS, on October 3, 2017, the East Bellevue Community Council held a public hearing and adopted Resolution No. 564, approving City Council Ordinance No. 6368; and

WHEREAS, on January 22, 2018, the City Council held a public hearing and adopted Ordinance No. 6398, extending the IOC for an additional six-month period, to August 7,

2018, to provide time for the City to draft, consider, and hold a public hearing on permanent regulations governing the permitting of Homeless Services Uses; and

WHEREAS, on February 6, 2018, the East Bellevue Community Council held a public hearing and adopted Resolution No. 568, approving City Council Ordinance No. 6398; and

WHEREAS, on February 12, 2018, the City Council initiated discussions regarding land use code amendments (LUCA) that would provide permanent regulations for homeless shelters and found that it was necessary for the Council to hold the required public hearing associated with these LUCAs; and

WHEREAS, on March 5, 2018, the City Council endorsed a community engagement approach and LUCA processing schedule for the proposed Homeless Services Uses LUCA; and

WHEREAS, the community engagement approach endorsed by the City Council encouraged participation from residents, businesses, and organizations regarding the proposed regulation of Homeless Services Uses; and

WHEREAS, from March 7 through March 21, 2018, the public outreach undertaken by the City for the Homeless Services Uses LUCA included a Citywide survey; and

WHEREAS, between March 7 and April 7, 2018, the City conducted public engagement to provide varied opportunities for the public to inform the drafting of the Homeless Services Uses LUCA; and

WHEREAS, the public outreach undertaken by the City for the Homeless Services Uses LUCA included a community workshop and optional listening session at City Hall on April 3, 2018, along with two additional community workshops at the Crossroads Community Center and South Bellevue Community Center on April 5, 2018; and

WHEREAS, on April 23, 2018, the City Council began formal review of the draft Homeless Services Uses LUCA, received orientation to the LUCA and its components, and received a report and explanation of the common themes communicated by the public when responding to the Citywide survey and participating in the community workshops; and

WHEREAS, as part of the City Council's April 23, 2018 study session, the Bellevue Police Department explained and provided data to the City Council demonstrating that the City of Bellevue is a safe and responsive community and that operation of the temporary winter shelter has not had a significant impact on crime in the City; and

WHEREAS, on May 7, 2018 and May 21, 2018, the City Council began review of the specific components identified in the draft Homeless Services Uses LUCA, including the purpose, applicability, definitions, process requirements, submittal requirements, development standards, and design guidelines; and

WHEREAS, on May 21, 2018, the City Council confirmed that it would hold a public hearing on June 11, 2018 on the proposed Homeless Services Uses LUCA and solicited additional public comment from citizens, stakeholders, and other interested parties; and

WHEREAS, on May 24, 2018, the City complied with the State Environmental Policy Act (SEPA), Chapter 43.21C RCW, and the City's Environmental Procedures Code, Chapter 22.02 BCC, when it issued a Threshold Determination of Non-Significance relating to the Homeless Services Uses LUCA; and

WHEREAS, on June 5, 2018, the East Bellevue Community Council held a courtesy hearing in which the Homeless Services Uses LUCA was presented for review; and

WHEREAS, the East Bellevue Community Council voted to send its Chair to a City Council meeting to provide the following recommendations regarding the Homeless Services Uses LUCA:

1. A development agreement should be removed from the approval process. To ensure transparency and public input, the permit should be approved as a conditional use permit.

This conforms to Comprehensive Plan elements:

CE-6. Encourage and emphasize open communication between developers and neighbors about compatibility issues.

CE-9. Use a range of public forums and opportunities including commissions, boards, and the community council to facilitate citizen engagement in the planning process.

N-6. Provide venues for two-way communication with residents to listen to and respond to emerging neighborhood opportunities and concerns.

2. The Good Neighbor Agreement Advisory Committee should not be determined solely by the Director of Development Services. Each affected Neighborhood Association should appoint their own representative. Each Councilmember should select one representative. This conforms to Comprehensive Plan elements that encourage public involvement on issues that affect neighborhoods and quality of life in Bellevue.

This conforms to Comprehensive Plan elements:

CE-6. Encourage and emphasize open communication between developers and neighbors about compatibility issues.

N-6. Provide venues for two-way communication with residents to listen to and respond to emerging neighborhood opportunities and concerns.

N-11. Enable neighborhood-tailored solutions to localized issues while ensuring that they meet Citywide responsibilities.

3. Light Industrial zoned properties should be included in the Homeless Services Uses LUCA to provide flexibility for any future unanticipated service needs.

This conforms to Comprehensive Plan elements:

LU-1. Promote a clear strategy for focusing the city's growth and development as follows: 1. Direct most of the city's growth to the Downtown regional growth center and to other areas designated for compact, mixed use development served by a full

range of transportation options. 2. Enhance the health and vitality of existing single family and multifamily residential neighborhoods. 3. Continue to provide for commercial uses and development that serve community needs.

LU-23. Provide a diversity of commercial areas outside the Downtown to provide an array of business and development opportunities and to serve other parts of the community.

4. Homeless Services Use operators should be required to use the Homeless Metric Information System; the metric tracking should be available on the City Open Data Website. This will lend itself to learning for the future and will point out accomplishments and needs.

This conforms to Comprehensive Plan elements:

CE-6. Encourage and emphasize open communication between developers and neighbors about compatibility issues.

HS-5. Maintain the City's role as a human services planner and facilitator by engaging service providers and community organizations in dialogue regarding the functioning of the present service systems, emerging needs, and the building of a complete system of services.

N-2. Ensure police, fire and emergency services provide high levels of public safety that respond to growth and changing community needs.

N-6. Provide venues for two-way communication with residents to listen to and respond to emerging neighborhood opportunities and concerns.

5. The Homeless Services Uses LUCA should exclude drug consumption sites – better redundant than regretted.

This conforms to Comprehensive Plan elements:

CE-6. Encourage and emphasize open communication between developers and neighbors about compatibility issues.

LU-11. Maintain stability and improve the vitality of residential neighborhoods through adherence to, and enforcement of, the City's codes.

N-1. Maintain neighborhoods as safe and welcoming environments for everyone to enjoy.

N-2. Ensure police, fire and emergency services provide high levels of public safety that respond to growth and changing community needs.

N-11. Enable neighborhood-tailored solutions to localized issues while ensuring that they meet Citywide responsibilities

6. The Homeless Services Uses LUCA should include the same 1000' buffer as mandated by the Washington State Liquor and Cannabis Board for the siting of Marijuana Stores.

This conforms to Comprehensive Plan elements:

N-1. Maintain neighborhoods as safe and welcoming environments for everyone to enjoy.

N-2. Ensure police, fire and emergency services provide high levels of public safety that respond to growth and changing community needs.

N-11. Enable neighborhood-tailored solutions to localized issues while ensuring that they meet Citywide responsibilities.

WHEREAS, the East Bellevue Community Council sent a letter to the City Council detailing its vote; and

WHEREAS, on June 11, 2018, the City Council held a public hearing on the proposed Homeless Services Uses LUCA in which Chair Hummer, on behalf of the East Bellevue Community Council, presented a brief overview of the East Bellevue Community Council input; and

WHEREAS, on July 16, 2018, the City Council of the City of Bellevue, Washington passed Ordinance No. 6419 amending the Bellevue Land Use Code, Title 20 of the Bellevue City Code, by adding new section 20.20.455 providing regulations for the permitting of Homeless Services Uses; amending the Services Use Charts to identify the Land Use Districts where Homeless Services Uses may be permitted; adding new definitions to section 20.50.038 for consistency with new section 20.20.455 LUC; providing for severability; and establishing an effective date; and

WHEREAS, the LUCA includes a provision excluding drug consumption sites on or around the shelter; and

WHEREAS, the other aspects on which the East Bellevue Community Council voted and passed are not included in the LUCA passed by the City Council; and

WHEREAS, a homeless shelter should not impose additional financial burden on City residents and first responders; and

WHEREAS, the City Council passed the LUCA by a vote of 4-3; and

WHEREAS, the East Bellevue Community Council finds that the Homeless Services Uses LUCA is not consistent with the Comprehensive Plan, does not enhance the public health, safety, and welfare, and is contrary to the best interest of the citizens and property owners of the City of Bellevue; and

WHEREAS, the subject matter of said Ordinance falls within the jurisdiction of the East Bellevue Community Council pursuant to RCW 35.14.040; and

WHEREAS, on August 7, 2018, the East Bellevue Community Council held a public hearing to consider approving Ordinance No. 6419;

WHEREAS, on September 11, 2018, the East Bellevue Community Council voted to disapprove Ordinance No. 6419;

NOW, THEREFORE, BE IT RESOLVED by the Community Council of the East Bellevue Community Municipal Corporation of the City of Bellevue:

Section 1: Ordinance No. 6419 of the Bellevue City Council is hereby disapproved.

Section 2: The Clerk is hereby directed to certify the original of this Resolution, to file the same and to keep the same on file in her office. The Clerk is further directed to distribute

certified and conformed copies of the Resolution to the Bellevue City Council, the Community Development Department, and the Development Services Department.

Passed by the East Bellevue Community Council this 11th day of September, 2018, and signed in authentication of its passage this 11th day of September, 2018.



Attest


Karin Roberts, Deputy City Clerk


Betsi Hummer, Chair