CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6589

AN ORDINANCE amending Land Use Code Chapter 20.20 General Development Requirements and Chapter 20.50 Definitions, as applied within the East Bellevue Community Council's jurisdictional area, to establish lower minimum residential parking requirements for certain housing developments within one-quarter mile of frequent transit service; providing for severability; and establishing an effective date.

WHEREAS, the City adopted the Affordable Housing Strategy (AHS) in 2017, recognizing the housing crisis in the Puget Sound region, and the City has committed to implementing specific recommendations to increase the supply of affordable housing in the City; and

WHEREAS, AHS Action C-5 recommends lowering the costs to building affordable housing in order to produce more affordable housing units and deepen the level of affordability with measures such as reduced parking requirements; and

WHEREAS, AHS Action D-1 recommends revising City codes and processes to reduce costs for building multifamily housing; and

WHEREAS, City of Bellevue Comprehensive Plan Policies HO-17 and LU-15 encourage housing opportunities throughout the City and support a range of housing choices for different household types and income levels; and

WHEREAS, City of Bellevue Comprehensive Plan Policies HO-7 and HO-26 encourage the development of affordable housing through incentives and other tools; and

WHEREAS, in March 2020 and in order to increase urban housing supply in the state, the Washington State Legislature enacted SHB 2343, codified as RCW 36.70A.620; and

WHEREAS, RCW 36.70A.620, which became effective on June 11, 2020, caps the minimum residential parking requirements that cities like Bellevue can impose for specific residential uses that are located within one-quarter mile of a transit stop and receive a minimum amount of transit service per hour; and

WHEREAS, in June 2020 and in order to encourage the creation of accessory dwelling units as a means to address the need for additional affordable housing options, the Washington State Legislature enacted ESSB 6617, codified as RCW 36.70A.698; and

WHEREAS, RCW 36.70A.698 provides that cities like Bellevue, effective July 1, 2021, may not require the provision of off-street parking for accessory dwelling units within one-quarter mile of a major transit stop; and

WHEREAS, the Washington State Legislature, in enacting SHB 2343 and ESSB 6617, recognized that providing parking spaces in an urban setting reduced the affordability of housing units and, potentially, the ability to include more housing units in a residential development; and

WHEREAS, the Washington State Legislature, in enacting SHB 2343 and ESSB 6617, also recognized that access and close proximity of residential units to frequent transit service reduced the number of parking spaces needed for those units; and

WHEREAS, on April 26, 2021, the City Council adopted Ordinance No. 6575 consistent with the Planning Commission recommended Land Use Code amendment; and

WHEREAS, on May 4, 2021, after holding a public hearing, the East Bellevue Community Council (EBCC) voted to disapprove Ordinance No. 6575 by Resolution No. 591; and

WHEREAS, on July 6, 2021, in its regular meeting, the EBCC adopted Resolution No. 592, which clarified that its rationale for disapproval of Ordinance No. 6575 was limited to the extent that Ordinance No. 6575, Section 3 (amending LUC 20.20.590.L) exceeds the Growth Management Act (chapter 36.70A RCW) by establishing new, minimum residential parking requirements for Affordable Housing, Market Rate Multifamily Dwellings and Senior Housing when these residential uses are located withing one-half mile radius, instead of a quarter-mile radius consistent with RCW 36.70A.620, of frequent transit service as the term "frequent transit service" is defined in Section 3 of Ordinance No. 6575; and

WHEREAS, through Resolution No. 592, the EBCC also declared to the City Council the EBCC's willingness to approve new, lower minimum residential parking requirements for certain types of housing near frequent transit service consistent with Ordinance No. 6575, provided that the new, lower minimum residential parking requirements only apply within a quarter-mile of frequent transit service consistent with RCW 36.70A.620 within the EBCC jurisdictional area; and

WHEREAS, the effect of the EBCC's disapproval of Ordinance No. 6575 is that none of the provisions of Ordinance 6575 apply within the EBCC's jurisdictional area; and

WHEREAS, this Ordinance will implement the applicable substantive provisions of Ordinance No. 6575 within the EBCC's jurisdictional area, with the exception that the new, lower minimum residential parking requirements will only apply within a quarter

mile of frequent transit service to uses within the EBCC's jurisdictional area; now, therefore,

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 20.20.120.B.5 of the Bellevue Land Use Code, as applied within the EBCC's jurisdictional area, is hereby amended to read as follows:

5. There shall be one off-street parking space provided for the accessory dwelling unit, which is in addition to any off-street spaces required for the primary residence, except when the property has frequent transit service as provided in LUC 20.20.590.L.1.

Section 2. Section 20.20.590.F.1 of the Bellevue Land Use Code, as applied within the EBCC's jurisdictional area, is hereby amended to add a new reference to subsection L, to add a new citation to note 3 to listing m – Residential and listing p – Senior Housing, and to add a new note 3, to read as follows:

20.20.590 Parking, circulation and walkway requirements.

...

F. Minimum/Maximum Parking Requirement by Use.

1. Specified Uses. Subject to subsections G, H, and L of this section, the property owner shall provide at least the minimum and may provide no more than the maximum number of parking stalls as indicated below:

	Use	**Minimum Number of Parking Spaces Required**	**Maximum Number of Parking Spaces Allowed**
...			
m.	Residential (3):		
	Single-family detached	2:unit	No max.
	Multiple unit structure:		
	One-bedroom or studio unit	1.2:unit	No max.
	Two-bedroom unit	1.6:unit	No max.
	Three or more bedroom unit	1.8:unit	No max.
...			

	Use	Minimum Number of Parking Spaces Required	Maximum Number of Parking Spaces Allowed
p.	Senior housing (3):		
	Nursing home	0.33:bed	1:bed
	Congregate care senior housing	0.5:unit	1.5:unit
	Senior citizen dwelling	0.8:unit	1.5:unit
...			

nsf = net square feet (See LUC 20.50.036).

Notes: Minimum/Maximum Parking by Use:

...

(3) See LUC 20.20.590.L for affordable housing, market rate multifamily dwellings, and senior housing minimum parking standards when these residential uses are located near frequent transit service.

...

Section 3. Section 20.20.590 of the Bellevue Land Use Code, as applied within the EBCC's jurisdictional area, is hereby amended to add a new section L as follows:

L. Minimum Parking for Residential Uses with Frequent Transit Service.

1. Applicability.

   a. For Affordable Housing, frequent transit service shall be defined as:

      i. Within one-quarter mile of a transit stop that receives transit service at least two times per hour for twelve or more hours per day; or

      ii. Within one-half mile* of a transit stop that receives transit service at least four times per hour for twelve or more hours per day; or

      iii. Within one-half mile* of a future light rail or bus rapid transit station scheduled to begin service within two years.

   b. For Market Rate Multifamily Dwelling and Senior Housing, frequent transit service shall be defined as:

i. Within one-half mile* of a transit stop that receives transit service at least four times per hour for twelve or more hours per day; or

ii. Within one-half mile* of a future light rail or bus rapid transit station scheduled to begin service within two years.

c. For Accessory Dwelling Units, frequent transit service shall be defined as:

i. Within one-quarter mile of a transit stop that receives transit service at least four times per hour for twelve or more hours per day; or

ii. Within one-quarter mile of a future light rail or bus rapid transit station scheduled to begin service within two years.

d. Except in the case of future light rail or bus rapid transit, frequent transit service availability shall be considered based on scheduled transit service available on the date that a fully complete Building Permit application is filed or land use approval is final. The Director of the Development Services department shall specify the submittal requirements necessary to provide documentation of transit service availability.

e. Where other sections in the Land Use Code provide for lower minimum parking standards for the specified uses in this section, the lower standards shall apply.

f. If the use is located in an area where physical impediments would require pedestrians to walk more than one-half mile to the nearest frequent transit stop, the Director of the Development Services Department may determine that the location does not meet the definition of frequent transit service.

* Limited to within one-quarter mile when the use is located within the jurisdiction of the East Bellevue Community Council.

2. Standards.

Use	Minimum Number of Parking Spaces Required
Affordable Housing with frequent transit service (Transit service at least two times per hour)	0.75:unit
Affordable Housing (Service at least four times per hour)	0.50:unit (1)
Market Rate Multifamily Dwelling	0.75:unit

Senior Housing	0:bed or unit (2)

(1) The minimum requirement for up to and including one bedroom apartment units available to households earning 60 percent or less than the median income as determined by the United States Department of Housing and Urban Development for the Seattle Metropolitan Statistical Areas is 0.25 spaces per unit. An agreement in a form approved by the City shall be executed by the applicant and recorded with the King County Recorder's Office, or its successor organization, requiring the affordable housing to remain for the life of the project. This agreement shall be a covenant running with the land, binding on the assigns, heirs, and successors of the applicant.

(2) Parking shall be required only for staff and visitors per the existing use standards of the specific land use district. The Director of the Development Services Department may consider the criteria in LUC 20.20.590.F.2.a – c in establishing alternative parking requirements for staff and visitors.

Section 4. Section 20.50.046 of the Bellevue Land Use Code, as applied within the EBCC's jurisdictional area, is hereby amended to add a new Senior Housing definition, to read as follows:

20.50.046 S definitions.

Senior Housing. See Senior Citizen Dwelling.

Section 5. Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this Ordinance.

Section 6. Effective Date. This Ordinance shall take effect and be in force five (5) days after adoption and legal publication.

Passed by the City Council this 19th day of JULY, 2021 and signed in authentication of its passage this 19th day of JULY, 2021.

(SEAL)

CITY OF BELLEVUE CORPORATE SEAL 1953 WASHINGTON

Lynne Robinson, Mayor

Approved as to form:
Kathryn L. Gerla, City Attorney

Matthew McFarland, Assistant City Attorney

Attest:

Charmaine Arredondo, City Clerk

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