

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 6676

AN ORDINANCE amending section 20.20.850 of the City of Bellevue Land Use Code (LUC) to provide additional extension periods for Temporary Public Safety Facilities during a declared natural disaster or emergency circumstance; providing for severability; and establishing an effective date.

WHEREAS, the LUC allows a Temporary Public Safety Facility (TPSF) during a declared natural disaster or unforeseen emergency circumstance, but the LUC currently limits the approval period for a TPSF to 24-months with only one potential 12-month extension; and

WHEREAS, a declared natural disaster or emergency circumstance may persist for a time period longer than 36 months; and

WHEREAS, allowing TPSF approval periods coincident with the declared natural disaster or emergency circumstance ensures that TPSFs can continue to provide services throughout the natural disaster or emergency circumstance, thereby protecting the health, safety, and welfare of the residents of Bellevue; and

WHEREAS, at its September 6, 2022 meeting, the City Council initiated processing of a Land Use Code Amendment (LUCA) to provide additional extension periods for TPSFs during a declared natural disaster or emergency circumstance; and

WHEREAS, the City Council finds it necessary and appropriate to consider this Ordinance amending the LUC without prior review and recommendation from the Planning Commission, as authorized by LUC 20.30J.125.B and 20.35.410.A; and

WHEREAS, the City Council held a study session on September 6, 2022 and, after providing the legally-required public notice, held a public hearing on September 26, 2022 on the proposed LUCA; and

WHEREAS, the City of Bellevue has complied with the State Environmental Policy Act, Chapter 43.21C RCW, and the City's Environmental Procedures Code, Chapter 22.02 BCC, for this LUCA; and

WHEREAS, the City Council finds that the proposed LUCA meets the decision criteria of LUC 20.30J.135, is consistent with the Comprehensive Plan, enhances the public health, safety and welfare, and is not contrary to the best interests of the citizens and property owners of the City of Bellevue; now, therefore

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

Section 1. Section 20.20.850.B the Bellevue Land Use Code is hereby amended to read as follows:

B. For purposes of this section, a temporary public safety facility is a facility which terminates its operations not later than 24 months from the approval date. However, upon a request to extend the approval period filed not later than 30 days prior to expiration of the original or any subsequent approval period, the Director of the Development Services Department may grant the request and extend the approval of the facility for additional periods of up to 12 months per extension request or for the duration of the natural disaster or unforeseen emergency circumstances. Such approval may be conditioned by the Director pursuant to any of the provisions of this Land Use Code

Section 2. 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 3. 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 26th day of SEPTEMBER, 2022 and signed in authentication of its passage this 26th day of SEPTEMBER, 2022.


(SEAL)




Lynne Robinson, Mayor

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


Matthew McFarland, Assistant City Attorney

Attest:

Charmaine Arredondo, City Clerk

Published: 9/29/22