

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5301

AN ORDINANCE relating to the Land Use Code; adding a new general Section 20.20.800 on Short Term Stay Uses that includes limitations and registration requirements for short term occupancies in residential areas outside the Downtown; repealing Section 20.20.530; and amending Sections 20.50.024 (Part - Hotel definition), 20.50.034 (Part - Motel definition) and 20.50.048 (adding a new definition of Transient Lodging) of the Bellevue Land Use Code.

WHEREAS, the definition of Hotel adopted into the Land Use Code in 1954 allows short term transient use of apartments, condominiums and other residences when they do not exceed five units; and,

WHEREAS, there exists a need for short term stay uses in residential areas within the City of Bellevue for, among others, persons and families relocating to this region, local employers seeking temporary housing in a residential facility for their employees, contractors and others, and existing residents requiring short term interim housing; and

WHEREAS, short term stay uses can have an adverse impact on traditional residential uses located in residential land use districts; and,

WHEREAS, the City of Bellevue wishes to cap the number and percentage of units that can be used for short term stay uses in a single multifamily building or multi-building development, monitor the number of transient lodging uses and control negative impacts; and,

WHEREAS, the Land Use Code does not presently contain regulations that would restrict the number, monitor and control negative impacts associated with short term stay uses; and,

WHEREAS, the City of Bellevue has complied with the State Environmental Policy Act (SEPA), RCW 43.21C, and the City's Environmental Procedures Code, Chapter 22.02 BCC; now, therefore,

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

Section 1: A new Section 20.20.800 is hereby added to the Land Use Code as follows:

20.20.800 Short Term Stay Uses – Limitations and General Requirements

A. Definition.

Short Term Stay Use. Transient lodging provided in a Planned Unit Development or multifamily dwelling unit located in a Residential (R-1 through R-30) land use [district](#). Boarding houses and bed and breakfasts permitted to operate in Residential districts pursuant to a valid Home Occupation Permit, Part 20.30N LUC, Group Homes for Children sited pursuant to the Group Home for Children Community Involvement Process, Chapter 9.19 BCC, and institutions housing persons under legal restraint or requiring medical attention or care are not included within the scope of this definition.

B. Limitation on Number of Short Term Stay Uses

No more than five units in any building and no more than 20 percent of the dwelling units comprising a development shall be used for Short Term Stay Use at any given time.

C. General Requirements

1. Registration Notice

Any person or company providing a Short Term Stay Use shall file a Registration Notice with the Department of Planning and Community Development. The registration notice shall be submitted in writing in a form approved by the Director. The registration notice shall state (a) the name and address of the person or company by whom it is submitted (Registrant); (b) identify by name and address the building and development to which the registration notice applies; and (c) state the number of dwelling units where the Registrant provides short term stay uses in the referenced building and development. The registration notice shall remain in effect until the Registrant notifies the Department in writing that the Registrant is no longer providing any units in the referenced building or development for Short Term Stay Uses.

2. House Rules

When rules of conduct have been adopted for universal application to all occupants of a development, any person or company providing a Short Term Stay Use shall provide a copy of the rules to each licensee prior to commencement of their stay and shall post a copy of the rules in each unit provided for Short Term Stay Use.

D. Time for Compliance

1. Notwithstanding any other provision of this section, for a maximum period of 12 months from the effective date of this ordinance, Short Term Stay Uses in existence on the effective date of the ordinance may continue to operate without meeting the limitations set forth in paragraph B of this section, provided that all the requirements of paragraph C of this section are met. Twelve months following the

effective date of the ordinance, Short Term Stay Uses not meeting the limitations set forth in paragraph B of this section will be operating in violation of the LUC and subject to enforcement provisions contained in 20.40.460 LUC and Chapter 1.18 BCC.

2. Short Term Stay Uses in existence on the effective date of this ordinance shall comply with the General Requirements of paragraph C of this section within three months from the effective date of this ordinance.

Section 2. Section 20.20.530 of the Land Use Code is hereby repealed:

Section 3. Section 20.50.024 of the Land Use Code is hereby amended as follows:

20.50.024 H definitions.

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Hotel/Motel. A building or portion thereof designed or used to provide transient lodging of six or more units in any building or more than 20 percent of the units comprising a development. A central kitchen and dining room and accessory shops and services catering to the general public can be provided. Institutions housing persons under legal restraint or requiring medical attention or care, bed and breakfasts and boarding houses are not included within the scope of this definition.

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Section 4. Section 20.50.034 of the Land Use Code is hereby amended as follows:

20.50.034 M definitions.

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Motel. See Hotel/Motel.

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Section 5. A new definition of "Transient Lodging" is hereby added to Section 20.50.048 of the Land Use Code as follows:

20.50.048 T definitions

Transient Lodging. Lodging provided for a fee or charge in a hotel, motel, boarding house, bed and breakfast, short term stay use or other granting of any similar license to use real property for a period of less than thirty (30) days.

Section 6. This ordinance shall take effect and be in force five (5) days after passage by the City Council.

PASSED by the City Council this 18th day of June, 2001, and signed in authentication of its passage this 18th day of June, 2001

(SEAL)

Chuck Mosher, Mayor

Approved as to form:

Richard L. Andrews, City Attorney

Lori M. Riordan, Assistant City Attorney

Attest:

Myrna L. Basich, City Clerk

Published June 22, 2001