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02/11/15

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CITY OF BELLEVUE, WASHINGTON

ORDINANCE No. 6219

AN ORDINANCE of the City of Bellevue, Washington, extending Ordinance No. 6128 adopting an interim official zoning ordinance to address impacts resulting from the rental of multiple rooms in residential dwellings to unrelated individuals, by amending the definitions of "boarding house" and "family" and creating a new definition of "rooming house", for an additional period of six months, to be in effect while the City drafts, considers, holds hearings, and adopts permanent regulations; providing for severability; and establishing an effective date.

WHEREAS, the Bellevue Comprehensive Plan seeks to maintain and strengthen the vitality, quality, and character of Bellevue's residential neighborhoods while providing housing choices and affordability; and

WHEREAS, the City of Bellevue has begun an update of its Comprehensive Plan as mandated by the Growth Management Act (GMA), and that update will include a broader evaluation of the community's housing policies, needs, and related issues; and

WHEREAS, the Bellevue City Council continues to receive concerns from citizens about the rental of multiple rooms in residential dwellings to unrelated individuals and under separate lease agreements, and the impacts of such rentals; and

WHEREAS, the Bellevue City Council has determined that this rental practice and its real and potential impacts threaten the vitality, quality, stability, and single-family character of Bellevue's residential neighborhoods, and that emergency action is warranted to diminish this threat; and

WHEREAS, the concerns and impacts identified by citizens include the erosion of single-family neighborhood character, from a stable neighborhood character to one that is more transitory, increased density, declining property maintenance, and increased on-street parking, traffic, noise, and instances of speeding, among others; and

WHEREAS, on September 23, 2013, the Bellevue City Council adopted Ordinance No. 6128 imposing emergency interim official zoning controls to address impacts resulting from the rental of multiple rooms in residential dwellings to unrelated individuals, by amending the definitions of "boarding house" and "family" and creating a new definition of "rooming house;" and

WHEREAS, under the GMA, the City was required to hold a public hearing within 60 days of adopting Ordinance No. 6128, which public hearing was held on November 4, 2013, to consider the interim zoning ordinance regulating the rental of multiple rooms in residential dwellings to unrelated individuals; and

WHEREAS, following the November 4, 2013 public hearing the Bellevue City Council affirmed that Ordinance No. 6128 should remain in effect for an initial six month period, to March 23, 2014; and

WHEREAS, on March 3, 2014, the Bellevue City Council held a public hearing on a potential six month extension of the provisions of Ordinance No. 6128 and, following that hearing, adopted Ordinance No. 6152 extending the provisions of Ordinance No. 6128 by six months, to September 23, 2014; and

WHEREAS, on August 4, 2014, the City Council held a public hearing on a potential six month extension of the provisions of Ordinance No. 6128 and, following that hearing, adopted Ordinance No. 6170 extending the provisions of Ordinance No. 6128 by six months, to March 23, 2015; and

WHEREAS, the Planning Commission has been working on the development of permanent regulations to replace the interim regulations, as requested by the City Council; and

WHEREAS, due to continuing significant public interest and the need to ensure that permanent regulations properly balance the interests of all affected parties, the City Council desires additional time to consider the draft permanent regulations; and

WHEREAS, extending Ordinance No. 6128 for an additional six month period will continue to address the immediate impacts resulting from the above-described rental practice, will protect the stability and character of Bellevue's single-family neighborhoods, and will provide an opportunity for the City to more fully research and develop appropriate long-term strategies; and

WHEREAS, the City has a compelling interest in the protection of the health and safety of all of its residents, as well as a compelling interest in ensuring that the goals and policies contained within the Comprehensive Plan and other policy/planning documents are fulfilled; and

WHEREAS, RCW 35A.63.220 and RCW 36.70A.390 authorize cities to extend interim zoning ordinances for additional periods of up to six months with the adoption of findings of fact and provided cities hold a subsequent public hearing within 60 days; and

WHEREAS, the City Council finds that extending the interim zoning controls adopted by Ordinance No. 6128 is necessary to allow sufficient time for the proper consideration and development of permanent regulations that will effectively and

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fairly address the concerns raised by citizens in a manner that balances the interests of property owners and users with those of the general public; and

WHEREAS, pursuant to BCC 22.02.050 and WAC 197-11-880, the adoption of this ordinance is exempt from environmental review under the State Environmental Policy Act; now, therefore:

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

Section 1. Extension of Interim Zoning Ordinance. Ordinance No. 6128 is hereby extended for an additional six month period, to September 23, 2015, unless repealed, extended, or modified by the City Council after subsequent public hearing and the entry of additional findings of fact pursuant to RCW 35A.63.220 and RCW 36.70A.390.

Section 2. Severability. Should any provision of this ordinance or its application to any person or circumstance be held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 3. Findings of Fact. The findings contained in this ordinance are hereby adopted as findings of fact to justify extending Ordinance No. 6128 imposing the interim zoning ordinance.

Section 4. Effective Date. This ordinance shall take effect and be in force on March 23, 2015.

PASSED by the City Council this 17th day of February, 2015, and signed in authentication of its passage this 17th day of February, 2015.

(SEAL)

Claudia Balducci, Mayor

Approved as to form:

Lori M. Riordan, City Attorney

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By: Lacey Hatch
Lacey Hatch, Assistant City Attorney
ATTEST:

Myrna L. Basich
Myrna L. Basich, City Clerk

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