

CITY OF BELLEVUE
CITY COUNCIL

Summary Minutes of Regular Meeting

February 26, 2024
6:00 p.m.

Council Chambers
Bellevue, Washington

PRESENT: Mayor Robinson, Deputy Mayor Malakoutian and Councilmembers Hamilton, Lee, Nieuwenhuis, Stokes and Zahn

ABSENT: None.

1. Call to Order

The meeting was called to order at 6:01 p.m., with Mayor Robinson presiding.

2. Roll Call; Flag Salute

City Clerk Charmaine Arredondo called the roll and all Councilmembers were present. Councilmember Hamilton led the flag salute.

3. Approval of Agenda

→ Deputy Mayor Malakoutian moved to approve the agenda, and Councilmember Stokes seconded the motion.

→ The motion carried by a vote of 7-0.

4. Oral Communications

City Clerk Arredondo said the total time for oral communications is for a period not to exceed 30 minutes and topics must relate to City of Bellevue government. Persons speaking to items on the agenda will be called first and if time remains, others will be called. The presiding officer is authorized to give preference to individuals who have not spoken to the Council within the past 60 days or who are speaking to items that will come before the Council in the upcoming 60 days.

- (a) Abigail DeWeese, Governmental Affairs Chair for NAIOP Washington State, commented regarding the City's noise ordinance. She noted that the Council received a letter earlier in the day from NAIOP, AGC Washington and the Bellevue Chamber of Commerce. She expressed support for the proposed change in sleeping areas decibel levels. She encouraged the Council to extend allowed construction noise hours in existing and future urban areas (i.e., Downtown, East Main, Wilburton transit-oriented

development area, and BelRed) to allow for the most efficient construction. Ms. DeWeese asked the Council to allow construction from 7:00 a.m. to 8:00 p.m. on weekdays and from 8:00 a.m. to 6:00 p.m. on weekends.

- (b) Sonja Forster, representing AGC Washington, expressed support for the proposed changes regarding allowed construction hours and the noise code. She concurred with Ms. DeWeese's request above, noting that extended construction hours will allow the industry to deliver housing and jobs faster, achieve construction efficiencies, reduce traffic impacts, promote permitting and staff efficiency, and bring construction hours more in line with other Eastside cities and Seattle.
- (c) Mahlet Demissie, representing Vulcan Real Estate, expressed support for extending the allowed hours for construction activity.
- (d) Jeff Rojas, JTM Construction, spoke in favor of extending the allowed construction hours in Bellevue. He said that extending construction hours will provide greater flexibility and efficiency and help to shorten the duration of construction for projects. He concurred with the suggestion to extend allowed construction hours to 7:00 a.m. to 8:00 p.m. on weekdays and from 8:00 a.m. to 6:00 p.m. on weekends.
- (d) Steve Garrett, Turner Construction, said he opposed the proposed change in construction hours, noting that they are too limiting. He encouraged the Council to extend the hours later into the evening on weekdays to expedite the completion of projects.
- (e) Tyler Tonkin, GLY Construction, said he opposed the proposed revisions regarding construction noise. He suggested extending the allowed construction hours to 7:00 a.m. to 8:00 p.m. on weekdays and from 8:00 a.m. to 6:00 p.m. on Saturdays. He said the longer hours would enhance planning, flexibility and efficiency.
- (f) Anthony Hevia, a Bellevue downtown resident, said that biking in Bellevue is dangerous. He said there is community support for the Bike Bellevue plan that will enhance safety. He asked the Council to implement the infrastructure with Vision Zero elements.
- (g) Arman Bilge, a Bridle Trails resident, said he bikes and uses transit to go everywhere. He expressed support for the Bike Bellevue plan that will provide safer bike lanes. He distributed written materials and invited everyone to join with Eastside Urbanism for a three-mile walk and bike ride along the Bike Bellevue corridors. He said the expansion of bike infrastructure will change the lives of residents and workers.
- (h) Mariya Frost, Transportation Director, Kemper Development Company, expressed concern regarding the traffic impacts projected to occur in the Comprehensive Plan under the preferred alternative, both in the full buildout and the 2044 growth scenario. She said the plan reflects a disconnect between zoning density and the road capacity needed to support it. She said the plan will result in gridlock on local streets. She referred to Chapter 11, Appendix K, in the Final Environmental Impact Statement (FEIS), noting that under the 2044 growth forecast, 16 intersections will not meet their performance

targets. With full buildout, the number of intersections not meeting their performance targets increases to 70. She said under the 2044 growth scenario, drivers are projected to experience delays up to 14 times longer than what they experience today. She said the Bike Bellevue plan does not include mitigation measures to address the impacts.

- (i) Abe Willner-Martin, a high school student, commented regarding the Vision Zero program, noting that eight percent of the roads in Bellevue are responsible for more than 80 percent of the serious injuries and deaths in vehicular accidents. He said he does not believe that the projected three-second travel time increase, as described in the City's documents, is worth the lives and safety of cyclists and pedestrians. He said there is a backlog of road safety assessments and projects that the City can implement if funded. He said the funding of \$500,000 for the Vision Zero program seems inadequate.

Mayor Robinson asked staff to provide information to Mr. Willner-Martin regarding projects that provide safe routes that are not listed directly under the Vision Zero budget.

- (j) Jon Zulanis, a Bellevue resident and worker, spoke in support of the Bike Bellevue project and described biking on a daily basis, including to and from Seattle. He said that all of the places he visits for dining and entertainment can be accessed through safe bike-friendly infrastructure, and none of them are in Bellevue. He expressed concern about a change in the staff working on the Bike Bellevue plan and the delay in the project. He encouraged the Council to implement the Bike Bellevue plan as quickly as possible.
- (k) Joe Kunzler asked the Council to develop a permanent no-trespass policy for people who disrupt more than one meeting. He said he successfully lobbied the City of Redmond to develop City Council public comment policies to stop attacks on Councilmembers by a specific individual. Regarding transit-oriented development, he encouraged the City to locate more apartments and restaurants near light rail stations. He looks forward to the opening of the light rail line between Bellevue and the Redmond Technology Center on April 27.

5. Reports of Community Councils, Boards, and Commissions: None.

6. Report of the City Manager

Acting City Manager Diane Carlson provided an update on the Bike Bellevue project. The plan identified a set of projects for public comment and there has been extensive input and feedback through efforts by staff and the Transportation Commission. She said there is support for the project as well as concerns about safety and opposition to removing vehicle lanes. She said the temporary pause on the project was put in place by the Transportation Department Director to further assess the public input, adjust staffing to meet the needs of the project, and to bring a full update back to the Council for consideration before the Transportation Commission continues its process. Ms. Carlson said the topic will be discussed next with the Council in late March.

7. Council Business and New Initiatives: None.

8. Consent Calendar

- Deputy Mayor Malakoutian moved to approve the Consent Calendar, and Councilmember Stokes seconded the motion.
- The motion to approve the Consent Calendar carried by a vote of 7-0, and the following items were approved:
 - (a) Council Minutes
Minutes of February 5, 2024 Regular Meeting
Minutes of February 12, 2024 Regular Meeting
 - (b) Motion to approve payment of claims and payroll for the period January 1, 2024 - January 31, 2024.
 - (c) Resolution No. 10356 determining that an existing sewer easement located at 14025 NE 6th Place is surplus to the City's needs and is no longer required for providing continued sewer service; and setting a time and place for a public hearing to consider the release of this easement.
 - (d) Resolution No. 10357 authorizing execution of a two year General Services contract with Canber Corporation in an amount not to exceed \$358,803, plus all applicable taxes, including an option to renew for an one additional term of two years, for landscape maintenance services at six sites throughout the city as managed by the Natural Resources division.
 - (e) Resolution No. 10358 authorizing execution of a two year General Services contract with Plantscapes Inc. in an amount not to exceed \$232,080, plus all applicable taxes, including an option to renew for an additional two years for landscape maintenance services at 11 sites throughout the city managed by the Natural Resources division.
 - (f) Resolution No. 10359 authorizing execution of a grant agreement with the Washington State Department of Commerce to accept up to \$823,000 of Connecting Housing to Infrastructure Program (CHIP) grant funding for the reimbursement of waived system development charges for the Eastgate Permanent Supportive Housing project.
 - (g) Resolution No. 10360 to approve a change order for the 2023 Utilities On-Call Asphalt Restoration Contract (No. 2350031) with AA Asphalt, LLC to increase contract capacity by \$600,000, for a total contract amount not to exceed \$1,776,690, plus all applicable taxes.
 - (h) Resolution No. 10361 authorizing execution of a grant agreement with the Washington State Department of Commerce to accept up to \$1,228,000 of Connecting Housing to Infrastructure Program (CHIP) grant funding for the

reimbursement of waived system development charges for the Polaris at Eastgate project.

- (i) Resolution No. 10362 adopting the Human Services Strategic Plan.

9. Public Hearing

- (a) Public Hearing on the proposed Ordinance relating to design review; amending Chapter 20.30F of the City of Bellevue Land Use Code (LUC) to include a new LUC 20.30F.190 to allow a longer Design Review approval period and the opportunity for extensions to Design Review approvals; amending LUC 20.40.500 to clarify vesting of Design Review approvals; providing for severability; and setting an effective date.

Acting City Manager Carlson introduced the public hearing regarding a proposed ordinance amending the Land Use Code to allow a longer design review approval period and the opportunity for extensions of design review approvals. She said two options will be presented and staff recommends approval of Option A.

Nick Whipple, Code and Policy Director, recalled that the Council initiated the code amendment on March 13, 2023 and held its first study session on this topic on November 6, 2023. At that time, there was general support from stakeholders and the Council to move forward with a Land Use Code Amendment (LUCA). The objectives of the LUCA are to: 1) allow extensions to design review approvals, 2) allow projects to adapt to unforeseen circumstances, 3) minimize the financial impact of expiring permits to property owners and the City, and 4) address concerns associated with projects that are not required to comply with updated codes. In the current code, design review approvals expire after two years pursuant to LUC 20.40.500 and there is no opportunity for extension. However, projects can remain viable if the developer is pulling building permits and continuing to make progress with their project.

Mathieu Menard, Senior Planner, recalled that the Council asked how Bellevue compares to other cities. In Kirkland, design review approvals expire after five years and there is no opportunity for extension. In Redmond, the approvals expire after two years and may be extended for an unlimited number of times if due to a hardship. In Seattle, approvals expire after three years and two-year extensions are available if the project conforms to applicable codes.

Mr. Menard said staff recommends Option A providing a three-year initial expiration period with the potential for two extension periods of two years each, for a total of seven years. He said the Bellevue Development Committee expressed support for the initial three-year period and two-year extension. Additional stakeholder feedback requested multiple two-year extensions without a specific time limit. Mr. Menard said Option A reflects that developers would need to bring their projects in compliance with current codes at the beginning of each extension.

Mr. Menard said Option B provides the same initial three-year approval with unlimited two-year extensions when a project conforms to applicable regulations.

Staff recommends Option A in part to provide transparency. Under the current Land Use Code, a developer may modify design review approval without going through a public notification process if the modification meets certain thresholds. A person applying for design review approval must give public notice when they apply and again when the project design is approved. Mr. Menard said staff is concerned that moving too far from the original approval increases the opportunity for modifications without public notice, which could result in a structure that is different in both form and use than originally intended.

Mr. Menard said there was support for Option A within the development community and the general public. However, Option B was not vetted through the Bellevue Development Committee and public. He said two meetings were held with the Bellevue Development Committee: November 15, 2023 and January 10, 2024.

Land Use Code 20.30J.135 establishes the decision criteria for LUCAs: 1) amendment is consistent with the Comprehensive Plan, 2) amendment enhances the public health, safety and welfare, and 3) amendment is not contrary to the best interests of citizens and property owners. Mr. Menard said both Option A and Option B meet the decision criteria.

- Deputy Mayor Malakoutian moved to open the public hearing, and Councilmember Stokes seconded the motion.
- The motion carried by a vote of 7-0.

City Clerk Arredondo noted that the Council received one written comment which was emailed to the Council and is provided in tonight's desk packet.

Abigail DeWeese, an attorney with Hillis Clark Martin and Peterson, said she is the Governmental Affairs Chair for NAIOP Washington State, a Board member for the Bellevue Chamber of Commerce and an active participant with the Chamber's PLUSH (Permitting, Land Use, Sustainability and Housing) committee. Speaking on behalf of NAIOP and the PLUSH committee, Ms. DeWeese noted the letter she submitted to the Council earlier in the day in support of Option A. While they recognize the benefit of unlimited design review approval extensions, she said developers understand and agree with the administrative and potential public notice issues with Option B. Ms. DeWeese said that in recognition of the current real estate recession, the City of Seattle passed a permit extension ordinance in December that applies to their master use permits, which are similar to design review approvals in Bellevue. That extension grants permit extensions for up to six years under whatever code they vested to at the time and applies to all permits issued between 2019 and 2026. This will allow more permits to continue to be viable. Ms. DeWeese asked the Council to consider a similar approach.

Nicole Myers expressed support for staff's recommendation and suggested applying the LUCA to existing projects in addition to future projects.

Mayor Robinson asked staff to clarify how the options affect existing projects. Mr. Whipple said both options, as currently drafted, apply to projects yet to be approved for design review. He said

any permit currently in process will vest upon approval of design review, which would favorably affect a number of projects currently in review.

- Deputy Mayor Malakoutian moved to close the public hearing, and Councilmember Stokes seconded the motion.
- The motion carried by a vote of 7-0.

Councilmember Zahn said she was looking back at the meeting packet from February 5 when the Council discussed extending permit review. She asked how that action differs from this proposed LUCA. Mr. Whipple said the February action allowed building permits and clearing and grading permits to be extended. At that point, the projects have already received design review approvals.

Councilmember Nieuwenhuis thanked staff for the presentation and for the City's outreach to stakeholders and the general public. He spoke in favor of moving Option A forward tonight. Responding to Mr. Nieuwenhuis, Mr. Whipple said the permit extension ordinance in Seattle is an interim ordinance applicable to projects within a certain time period, as noted above by Ms. DeWeese. Mr. Whipple said the master use permits approved within the designated window will receive an automatic six-year vesting period. The ordinance will sunset after December 2026. Mr. Nieuwenhuis expressed an interest in exploring a similar interim ordinance for Bellevue.

Responding to Councilmember Lee, Mr. Whipple said that design review applications currently being processed by the City would vest under the new rules if the LUCA is approved by the Council. Under the current structure, those approvals would expire after two years. However, a developer can keep the design review approval alive if they pull a building permit or are actively working on the building permit.

In further response to Mr. Lee, Mr. Whipple said the proposed LUCA would allow the developer, if the building permit expires and the design review approval is still vested or active, to pull another building permit or to ask for an extension of the design review approval. The caveat is that at the time the extension is requested, the City would conduct a review to ensure compliance with the current codes at that time. Mr. Whipple said Option A allows two extensions of two-years each for a total of seven years.

Councilmember Hamilton expressed support for adopting Option A now and for exploring Seattle's approach at a later date, as suggested by Councilmember Nieuwenhuis. Mr. Hamilton said this would enhance Bellevue's competitiveness in the region. He suggested establishing clear criteria for granting an extension.

Deputy Mayor Malakoutian thanked staff for the presentation. Responding to Mr. Malakoutian, Mr. Whipple said the total seven-year vesting period was based on practices in other cities as well as an interest in adopting a competitive approach. He said the City of Redmond allows multiple one-year extensions based on hardship criteria. Mr. Menard said staff worked to strike a balance between stakeholder input and the City's responsibility to the public to be transparent and efficient.

Councilmember Stokes expressed support for Option A. Responding to Mr. Stokes, Mr. Whipple said the proposed ordinance will apply to any projects approved after the effective date of the ordinance, which provides an advantage to projects that have not yet received design review approvals. He said the ordinance will apply to a number of projects in process and to future projects in the BelRed and Downtown subareas. Mr. Whipple said any design review approvals that have expired after two years will require the developer to re-apply for design review.

Mayor Robinson noted Council support for Option A. She thanked Development Services Director Horner for establishing the Bellevue Development Committee.

- Deputy Mayor Malakoutian moved to adopt Ordinance No. 6778 (Option A), and Councilmember Hamilton seconded the motion.
- The motion carried by a vote of 7-0.

10. Study Session

- (a) Proposed steps for pursuing a citywide local speed limit reduction project to reduce the speed limit on local streets from 25 miles per hour to 20 miles per hour.

Acting City Manager Carlson introduced staff's presentation regarding the proposed steps for pursuing a citywide speed limit reduction to lower the speed limit on local streets from 25 miles per hour to 20 miles per hour.

Vanessa Humphreys, Neighborhood Traffic Safety Services Manager, said staff is seeking Council direction to conduct outreach regarding the citywide local street speed limit reduction project and to return later this year to consider adoption of an ordinance lowering the speed limit. Staff proposes lowering the speed limit on most local streets from 25 miles per hour to 20 miles per hour. Ms. Humphreys said safe speeds are a cornerstone of the City's Vision Zero program. For every incremental reduction in travel speed, there is a significant reduction in the risk to pedestrians.

Streets in Bellevue are classified as either arterial or local. The Speed Management Plan focuses on arterials with a posted speed limit of 30 miles per hour or greater. The proposed project focuses on local streets. However, staff will return later this year to discuss arterial street speed limits. Ms. Humphreys said that speeding on local streets posted with a speed limit of 25 miles per hour is addressed through the City's neighborhood traffic calming program and the City's toolkit is described in the residential traffic guidebook. The City's traffic calming program started in 1985 and the program is resident-driven in terms of identifying the best traffic calming measures.

John Murphy, Senior Planner, said the proposed speed limit reduction affects 64 percent of Bellevue streets and builds on three 20 miles per hour speed limit projects in the community. A few local streets will retain the 25 miles per hour speed limit. Mr. Murphy said there are currently more than 350 signs and more than 150 pavement markings for the 25 miles per hour

speed limit on local streets. The project cost is estimated at approximately \$500,000 and funding is available in the neighborhood transportation levy.

State law allows the adoption of the 20 miles per hour speed limit without requiring an engineering study. Mr. Murphy noted that a change in the speed limit will require an amendment to Bellevue City Code 11.32 and to the Speed Limit Setting Standard Operating Procedure (SOP).

Mr. Murphy said staff has been monitoring local speed limits in other cities for a number of years. He said the City of Seattle implemented a 20 miles per hour speed limit in recent years. The City of Issaquah implemented a 20 miles per hour speed limit on specific streets and the City of Renton is preparing to reduce speed limits. Mr. Murphy said the City of Portland is the primary case study to determine whether signage alone is enough to reduce traffic speeds. He said there was a significant reduction in speeding above 30 miles per hour.

Mr. Murphy said the City tested three 20 miles per hour speed limit projects in Surrey Downs, Eastgate and East Bellevue. In all three areas, there was a reduction in speeding above 30 miles per hour. In Eastgate, 59 percent of survey respondents indicated that they thought safety was improved. In East Bellevue, traffic circles and wayfinding were utilized. Overall, survey respondents expressed strong support for changing the 25 MPH pavement markings to 20 MPH. Mr. Murphy said that if speed limits are reduced, they will be enforced and traffic calming measures will still be implemented by the City as appropriate.

Mr. Murphy said staff is seeking direction to initiate community outreach to gather input regarding the proposed speed limit reduction. Staff will return later this year to provide an update to the Council regarding the community input and to request adoption of an ordinance. If approved, citywide signage would be replaced in 2025.

Community outreach and engagement will involve a translated project website, recorded webinars, community association briefings, information table at farmer's market, online comment box, interactive map, Bellevue Network on Aging input, Bellevue Essentials program alumni input, social media, articles in It's Your City, Neighborhood News, and Choose Your Way Bellevue and other methods.

Mayor Robinson thanked staff for the presentation.

Responding to Councilmember Nieuwenhuis, liaison to the Transportation Commission, Mr. Murphy said approximately 200 individuals responded to the East Bellevue survey and 25 people responded to the Eastgate survey. In further response to Mr. Nieuwenhuis, Mr. Murphy said staff has received requests for lower speed limits from residents. He said continued outreach will help determine whether there is citywide support.

Responding to Councilmember Nieuwenhuis, Mr. Murphy said 10 streets have been identified for retaining the 25 miles per hour speed limit. He said those streets generally provide connections between major roads with less density and few driveways.

Mr. Nieuwenhuis said he was glad to hear that staff will work with the Police Department on this initiative. Mr. Murphy noted that the decrease in traffic speeds in the Eastgate area occurred with new signage and public education and without any increase in enforcement efforts.

Responding to Councilmember Stokes, Mr. Murphy said that much of the research in this area examines 20-40 miles per hour speed limits. Mr. Murphy said a safety benefit has been demonstrated when going from 25 miles per hour to 20 miles per hour.

Mr. Stokes said there is cut-through traffic in the Woodridge neighborhood by workers from Downtown Bellevue traveling to I-90. He said 20 miles per hour signage was installed in some locations. He expressed support for the lower speed limit.

Councilmember Zahn expressed support for the focus on safety and the concept that safety starts on your street. She encouraged robust community outreach and education. She suggested a 20 miles per hour speed limit for all local streets to avoid confusion and continued speeding.

Councilmember Lee expressed support for increasing safety and commented on the importance of enforcement. He said that in some cities in California, every intersection has stop signs. He encouraged staff to move forward with their proposed approach.

Deputy Mayor Malakoutian suggested that the cost of changing signage will be low compared to the beneficial reduction in accidents and street maintenance. He thanked staff for their work.

Mayor Robinson wondered whether reduced speed limits would discourage navigation apps from guiding drivers through residential neighborhoods. She suggested that the police issue warnings for first infractions. She asked whether funding from the federal Safe Routes to School program is available for this project. She noted that downtown Bellevue is a residential area and suggested a focus on reducing traffic speeds there as well.

Mr. Murphy said reducing speed limits is not likely to discourage navigation apps from routing drivers through neighborhoods. However, movements have been restricted during peak travel times in certain cut-through routes in an attempt to discourage navigation apps from routing drivers through those streets. He said the police generally issue initial warnings when there are changes in roadway rules. He said there is no Safe Routes to School funding for this project. He confirmed that downtown speed limits will be addressed when staff studies arterial speed limits later this year.

→ Councilmember Zahn moved to direct staff to initiate community outreach and to prepare a draft ordinance to reduce the speed limit on local streets to 20 miles per hour, to be brought back for Council consideration at a future meeting. Councilmember Stokes seconded the motion.

→ The motion carried by a vote of 7-0.

At 7:50 p.m., Mayor Robinson declared a short break. The meeting resumed at 8:02 p.m.

- (b) Joint land use planning initiatives workplan for Community Development and Development Services Departments.

Ms. Carlson introduced staff's update regarding the joint land use planning initiatives workplan for the Community Development Department and the Development Services Department.

Emil King, Assistant Director, Community Development Department, recalled that the last presentation of the workplan occurred in April 2022 and staff intends to continue to provide updates every two years. He said many of the items require review by the Planning Commission and other boards and commissions before consideration by the City Council. They also involve robust community engagement efforts.

Nick Whipple, Code and Policy Director, Development Services Department, said the two-year land use planning initiatives workplan sets a standardized, predictable process and enhances transparency and accountability by establishing clear roles and responsibilities for staff in different departments. He said the process includes monitoring and the evaluation of outcomes. The process is organized into three phases: 1) pre-launch (i.e., annual workplan, project scoping, engagement plan and Council direction), 2) execution (i.e., technical work, environmental processes and stakeholder engagement), and 3) implementation (i.e., permitting and construction, performance tracking and adjustments as needed).

Mr. Whipple highlighted 2022-2023 workplan accomplishments including the Family Child Care Homes LUCA, Supportive and Emergency Housing LUCA, East Bellevue Community Council Sunset LUCA, Temporary Public Safety Facilities LUCA, Quasi-Judicial LUCA, Noise Control Code amendment regarding amplified sound, Accessory Dwelling Unit (ADU) Reform LUCA, Micro-apartments LUCA, Increased Residential Floor Area Ratio (FAR) Interim Official Control, Reduced Permit Review and Inspection Fee Program, Increased State Environmental Policy Act (SEPA) Exemption Thresholds Bellevue City Code Amendment (BCCA), Unit Lot Subdivision BCCA, Wireless Communications Facilities LUCA and Affordable Housing Action C-1 Phase 2 LUCA. Many of the items were identified by the Council in 2022 as part of the Next Right Work initiative to increase the supply of affordable housing. Mr. Whipple said ongoing work includes the Comprehensive Plan Periodic Update, Wilburton Vision Implementation and other planning efforts.

Mr. King said the joint land use planning initiatives workplan advances the Council's priorities and responds to the City's needs. It is consistent with the state and regional planning framework, including the growth targets of 35,000 housing units and 70,000 jobs by 2044. He said staff works to coordinate projects where beneficial and to maximize positive outcomes versus the level of investment required to complete the work.

Mr. King presented the 2024-2025 land use planning initiatives workplan depicting the list of projects and anticipated schedules. The projects are grouped into three categories: state requirements, previously directed projects and previous docket items.

In the state requirements category, Mr. King said the Comprehensive Plan Periodic Update was launched approximately two years ago and will be completed later this year.

Mr. Whipple said the Comprehensive Plan Periodic Update addresses detached accessory dwelling units (DADUs) and duplexes, triplexes and quadplexes as well as HB 1110 (middle housing) and HB 1337 (ADUs). Additional projects based on state legislation include HB 1293 (streamlines design review), HB 1042 (conversion of existing buildings for residential use) and SB 5290 (permit streamlining). The Critical Areas Ordinance update is slated for mid-2025 through early 2026.

Mr. King highlighted previously directed initiatives: Wilburton Vision Implementation (including Wilburton Sustainable District Opportunity Assessment) and BelRed Look Forward Comprehensive Plan Amendment (CPA) and LUCA.

Mr. Whipple said additional previously directed initiatives include the increased floor area ratio (FAR) for residential development LUCA, Bellevue College CPA and LUCA, tree canopy codes, Next Right Work Downtown interim official control (IOC), State Environmental Policy Act (SEPA) exemptions, Grand Connection and the Noise Control Code for construction noise.

Mr. King and Mr. Whipple briefly described the four previous docket projects: Great Neighborhoods (Crossroads and Newport Hills) Comprehensive Plan Amendment (CPA), Sign Code update, Noise Control leaf blowers (Phase 3) BCCA and electric vehicle charging BCCA.

Mr. King presented a table depicting the 2024-2025 workplan connections between the Comprehensive Plan, Affordable Housing Strategy, economic development and environmental stewardship initiatives and projects.

Mr. King said projects on the docket anticipated beyond 2025 are the Civic Center CPA and LUCA, pipeline safety amendment, Downtown Livability amendments, Sound Transit 3 planning, Shoreline Master Program (SMP) Update (2029), Comprehensive Plan review (2029), Great Neighborhoods and the annual CPA process.

Mayor Robinson thanked staff for the thorough presentation.

Councilmember Nieuwenhuis said he appreciated the update. Responding to Mr. Nieuwenhuis, Mr. King said staff will provide an online update regarding neighborhood area planning soon. He said the next two neighborhoods are Crossroads and Newport Hills.

Mr. Nieuwenhuis asked about the potential for accelerating the BelRed Look Forward CPA and LUCA process. Mr. King said he and Mr. Whipple can explore whether that might be possible based on available staff capacity.

Mr. Nieuwenhuis asked about the cost and impact of requiring electric vehicle charging stations in certain building projects. Mr. King said there are new state requirements and Bellevue has a higher adoption rate of electric vehicles than most of the state. He said staff will provide more information with the next update to the Council.

Councilmember Hamilton said he appreciated all of the information. Responding to Mr. Hamilton, Mr. King said staff will update the Council regarding any changes in the project scopes or schedules. Mr. Whipple said staff typically provide a midpoint check-in with the Council for larger initiatives. Mr. Hamilton encouraged monitoring to keep the projects on track.

Councilmember Zahn said this is an ambitious plan for important work. She expressed support for the expansion of Bellevue College. She suggested accelerating the electric vehicle charging stations item. She suggested expediting work pursuant to HB 1293 to streamline design review. She expressed support for exploring increased floor area ratio (FAR) for residential development. Ms. Zahn said it is important to coordinate the planning for both sides of the Grand Connection with the construction of the bridge. She asked about the possibility of hiring consultants and/or additional staff to expedite certain efforts. Mr. King thanked Ms. Zahn and said he had noted her comments and suggestions.

Councilmember Stokes thanked staff for the comprehensive presentation. He asked whether the City has the appropriate staffing level of planners. He said he appreciated the tables depicting the project schedules and coordinated efforts.

Councilmember Lee said he was impressed with the workplan. He acknowledged that there are many competing priorities, including extensive planning efforts related to housing. He asked staff to keep the Council updated regarding any changes to the workplan.

Deputy Mayor Malakoutian thanked his colleagues for their questions. He asked about the monitoring of the plan and the ability for the public and the Council to provide feedback regarding progress on the workplan. He suggested exploring ways to share updates regarding the initiatives in the workplan.

Mayor Robinson said these updates take years and she wants to be sure that the City is updating its value system given new information and changes in the community and technologies. Mr. King said staff focuses on the Council's priorities, housing needs assessment and emerging trends on an ongoing basis.

- (c) Proposed amendments to the Bellevue City Code to update the exempt hours for construction noise, clarify the current construction noise exemptions, create a public notice process, and modify the average allowed decibel levels for sleeping areas.

Acting City Manager Carlson introduced staff's briefing regarding proposed amendments to the Bellevue City Code regulating construction noise hours and allowed decibel levels for sleeping areas. Staff is requesting Council direction to prepare the code amendment for action at a future meeting.

Mr. Whipple said this is the Phase 2 work for the Noise Control Code amendments. He said the objectives of the BCCA are to: 1) minimize the public's exposure to excessive noise, 2) support development, 3) streamline permitting, 4) codify the notification process, and 5) lower the cost of building multifamily housing [Sleeping areas BCCA]. He said the City has received feedback

from the development community regarding the costs related to the requirement to build multifamily housing in compliance with Bellevue's allowed decibel levels for sleeping areas.

Mr. Menard said construction noise is currently allowed from 7:00 AM to 6:00 PM on weekdays and 9:00 AM to 6:00 PM on Saturdays. The proposed BCCA extends weekday hours to 7:00 PM. Construction noise is not allowed on Sundays and holidays. The code currently allows construction noise related to single-family additions and remodels until 8:00 PM, Monday through Saturday. Mr. Menard said the City received a request to extend the hours until 8:00 PM on weekdays for commercial construction projects.

The proposed BCCA allows additional hours for construction activities and noise through the Development Services Department, including for the mitigation of safety hazards, mitigation of impacts from inclement weather or bad air quality, and specific construction tasks that take longer than 12 hours to complete. The BCCA establishes a process for written notification to nearby properties and establishes a process to allow multiple exemptions in a single application within a 30-day time period.

Moving to the sleeping areas BCCA, Mr. Menard said the City currently allows noise up to 40 decibels for sleeping areas and up to 45 decibels for non-sleeping areas. The proposed BCCA allows 45 decibels for both sleeping and non-sleeping areas. Mr. Menard said 40 decibels is lower than federal recommendations and lower than California's threshold.

Mr. Menard said there was extensive stakeholder outreach regarding the sleeping areas code amendment. Staff engaged directly with the Bellevue Development Committee, construction firms, Bellevue Downtown Association, Bellevue Downtown Residents Association and Spring District residents. Additional communications were provided online and in the Development Services Department's newsletter.

Mr. Menard said the City's construction noise complaint process investigates any potential violation after a complaint is received. After-hours violations are handled by the Bellevue Police Department. Noise complaints can be submitted by calling the BPD non-emergency phone number or through the MyBellevue app.

Mr. Menard recalled that during Phase 1 of the noise control code work, an amplified sound BCCA was adopted on April 11, 2022. Council is requesting action at a future meeting regarding the Phase 2 proposal related to construction noise and allowed decibel levels in sleeping areas. Phase 3 beginning in the third quarter of 2025 will address leaf blower noise.

Deputy Mayor Malakoutian thanked staff for the presentation. Responding to Mr. Malakoutian, Mr. Menard said staff has not encountered opposition to allowing construction noise until 7:00 PM on weekdays. However, staff was concerned that allowing construction noise until 8:00 PM could begin to negatively affect quality of life. Mr. Menard acknowledged that allowing later work hours reduces the overall duration of a construction project.

Responding to Councilmember Stokes, Mr. Menard noted the proposed new exemption for construction tasks that take longer than 12 hours. Mr. Stokes acknowledged the benefit of being able to complete construction projects in a shorter time period with longer daily work hours.

Responding to Mr. Stokes, Mr. Whipple said the workplan item to address leaf blowers is scheduled for the third quarter of 2025.

Mr. Stokes expressed support for the proposed BCCA.

Councilmember Hamilton suggested extending the construction noise weekday hours to 8:00 PM. He noted the benefit of expediting projects and providing longer days to complete large tasks. He said the City of Redmond allows construction activity until 10:00 PM in some situations and the City of Kirkland allows construction noise until 8:00 PM on weekdays. He spoke in favor of facilitating the completion of projects by allowing longer workdays. Mr. Hamilton suggested allowing construction noise from 7:00 AM to 8:00 PM on weekdays and from 8:00 AM to 6:00 PM on Saturdays.

Mayor Robinson said she lives downtown and hears complaints about construction noise. She suggested designating an individual at each project site to ensure that daily construction activity stops at the required time. That person could also be a contact for questions and complaints.

Councilmember Lee expressed an interest in more information regarding noise complaints. He acknowledged the negative impacts of noise over an extended period of time on overall quality of life. Mr. Menard said staff will work with the police department to research more information about complaints.

Councilmember Zahn thanked staff for the presentation and discussion. She acknowledged that this is a challenging discussion about how to balance the community's quality of life with excessive noise, developers efficiency and safety. She said she appreciated the information about allowed construction hours in other cities.

Ms. Zahn said she has worked in the construction business for more than 20 years. She said this is an unprecedented time in terms of workforce shortages and construction delivery issues. She expressed support for allowing construction noise until 8:00 PM on weekdays and starting at 8:00 AM on Saturdays.

Councilmember Nieuwenhuis noted the need for better data regarding noise complaints. Given the current lack of data, he said he would be inclined to support allowing construction noise until 8:00 PM on weekdays and beginning at 8:00 AM on Saturdays.

Responding to Deputy Mayor Malakoutian, Mr. Menard said the City of Seattle allows construction noise from 7:00 AM to 7:00 PM on weekdays and from 9:00 AM to 7:00 PM on weekends. Later hours are allowed for certain situations. The City of Redmond allows the noise from 7:00 AM to 10:00 PM daily except when impacting residential zones, where construction noise is allowed from 7:00 AM to 7:00 PM on weekdays and 9:00 AM to 6:00 PM on Saturday.

In the City of Kirkland, construction noise is allowed from 7:00 AM to 8:00 PM on weekdays and from 9:00 AM to 6:00 PM on Saturday.

In further response to Mr. Malakoutian, Mr. Menard confirmed that staff would conduct additional community outreach if the Council wanted to consider allowing construction noise until 8:00 PM. Mr. Malakoutian acknowledged the benefits of allowing longer construction hours but expressed concern about the effect of long-term noise exposure on individuals. He asked whether extending the hours until 8:00 PM might have a positive impact on evening traffic levels.

Councilmember Stokes expressed support for extending construction noise hours until 8:00 PM on weekdays. He wants to maintain the flexibility for longer hours when needed for a specific construction purpose.

Mayor Robinson said she would support Redmond's allowed construction hours and rules regarding proximity to neighborhoods. She said Downtown Bellevue is a huge neighborhood.

Councilmember Lee reiterated that he would like more information regarding complaints. He said he would like to see more outreach to residents before making any changes.

Councilmember Zahn suggested working with the construction industry to identify ways to reduce noise throughout the day.

- Councilmember Nieuwenhuis moved to direct staff to bring back an ordinance amending the Bellevue City Code to update the exempt hours for construction noise from 7:00 AM to 8:00 PM on weekdays and from 8:00 AM to 6:00 PM on weekends; clarify the current construction noise exemptions; create a public notice process; and to modify the average allowed decibel levels for sleeping areas, for final Council action at a future meeting. Councilmember Stokes seconded the motion.
- Mayor Robinson moved to amend the motion to include restrictions around low-density residential areas, where the allowed hours would be 7:00 AM to 7:00 PM on weekdays and 9:00 AM to 6:00 PM on Saturdays. Councilmember Lee seconded the motion to amend.

Responding to Mayor Robinson, Mr. Whipple confirmed that staff will conduct further study regarding construction hours and exceptions for residential areas.

Councilmember Hamilton said it would be helpful to have more information about residential restrictions.

Councilmember Stokes noted that most of the construction noise is currently concentrated in the Downtown and BelRed areas.

Mayor Robinson expressed concern regarding downtown construction impacts on Surrey Downs, Vuecrest and other adjacent neighborhoods.

Deputy Mayor Malakoutian said the Bellevue Chamber of Commerce expressed support for extending construction hours until 8:00 PM.

Responding to Councilmember Zahn, Mayor Robinson said staff will conduct additional analysis and bring the topic back for further discussion and formal action.

→ The motion to amend carried by a vote of 7-0.

→ The motion, as amended, carried by a vote of 7-0.

11. Land Use: None.

12. Other Ordinances, Resolutions, and Motions: None.

13. Written Reports: None.

14. Unfinished Business: None.

15. New Business: None.

16. Executive Session: None.

17. Adjournment

At 9:48 p.m., Mayor Robinson declared the meeting adjourned.

Charmaine Arredondo, CMC
City Clerk

/kaw