

February 11, 2025

Bellevue Planning Commission  
c/o Bellevue City Hall  
450 110<sup>th</sup> Ave NE  
Bellevue, WA 98004  
Via email: [planningcommission@bellevuewa.gov](mailto:planningcommission@bellevuewa.gov)

Re: HB 1110/Middle Housing Implementation  
Public comments

Chair Goepple, Deputy Mayor Malakoutian, and Planning Commissioners:

We represent housing developers of all types, including single family home builders in Bellevue. Based on the memorandum provided by staff, we are concerned that the HB 1110/Middle Housing proposal could potentially reduce the number of single family homes being built in Bellevue. We would encourage staff to reach out specifically to single family homebuilders to discuss these proposed changes, as they appear to be the most impacted by the ideas outlined in staff's proposal. To date, we are unaware of this outreach taking place. Specifically, we would like to make the following points as you discuss middle housing:

**1. Opposition to FAR Reduction for Single-Family Homes**

We strongly oppose the proposed reduction of Floor Area Ratio (FAR) for single-family houses from 0.5 to 0.3. There has been no outreach to single-family home builders or their clients regarding this significant change and its potential impact on Bellevue's single-family homebuilding industry. According to staff, this reduction aims to incentivize middle housing production (and disincentivize single family housing production); however, state law does not require this approach. We encourage the City to retain the 0.5 FAR limit for single-family homes and explore other ways to encourage middle housing without penalizing single-family housing. If market demand for middle housing increases, developers will naturally respond.

**2. Support for Larger, Multigenerational Housing**

Bellevue's cultural diversity is one of its strengths, and many cultures represented in our community live in multigenerational living, where children, parents, and grandparents reside under one roof. Larger homes are necessary to accommodate this type of housing, and we urge the City to allow for this housing typology to continue. Reducing the FAR for single-family homes could disproportionately impact these multigenerational housing options. Instead of restricting larger homes, the City should seek ways to encourage/incentivize diverse housing options that reflect the needs of all Bellevue residents.

**3. Need for Streamlined Permitting and Technical Reviews**

If Bellevue aims to increase housing production, it must focus on making the permitting process faster and more efficient. The City should prioritize simplifying reviews for unit lot subdivisions, transportation, and especially utility requirements, which have been shifting

and becoming more onerous in Bellevue. Land use code revisions alone will not achieve the City's housing goals—improving technical reviews and approval processes is equally critical. A streamlined permitting system will encourage more housing development without unnecessary delays and added costs.

**4. Support for FAR Exemption for ADUs**

We support the continuation of the FAR exemption for Accessory Dwelling Units (ADUs) that are included within the main housing unit. This incentive-based approach has proven effective in encouraging more than one unit per lot. Many of the homes our clients build include ADUs, which serve as valuable multigenerational housing options or rental units for additional households. They are incentivized to include these because of the FAR exemption. We encourage the City to continue using positive incentives like this rather than imposing restrictive measures such as the FAR reduction—for example, instead of downzoning single family zones for single family homes, include an FAR incentive for middle housing types well beyond the 0.5 FAR that would encourage more units per lot where they are more desired.

We appreciate the City's efforts to promote housing availability and affordability, but we urge the Planning Commission to consider market realities and community needs when implementing policies. The City should focus on strategies that support housing diversity, expedite the permitting process, and use incentives rather than restrictions to achieve its goals.

Thank you for your time and consideration.

Sincerely,

Jessie Clawson

Bellevue City Council/Transportation Commission, Planning Commission

This testimony is to address the Bellevue City council, Planning and Transportation Commissions on the roles and duties of government.

Automobiles are the primary method of transportation in Bellevue, King County, and the state of Washington.

The city's job is to facilitate travel throughout the city that is favorable to the majority of users.

Which is by car, or the 99% of travelers.

The planning commission is developing plans that favor travel by bicycle, by foot and via mass transit, over the use of automobiles.

How does this make sense when the population of Bellevue has increased by 18% in the last ten years.

The efforts to implement the plan have already reduced the capacity for automobiles, making it harder to access businesses, recreation, and family.

This is punitive for people who must use their cars, because the Bellevue cost of living in is prohibitive for the workers employed in Bellevue.

The Northwest is cold, wet, and hilly and 99% of people choose to travel by automobile.

What you are doing is called social engineering, making it more difficult for one method of travel versus your preferred method.

You are the planning/transportation commission, and your advice and guidance go to the city council for decisions.

The responsibility is to the city council based on your findings.

Please act appropriately and stop trying to force people into modes of transportation that do not fit with the population, climate, and the geographical terrain.

Respectfully,

Laurie Lyford  
9529 Lake Washington Blvd NE  
Bellevue, WA 98004

425-765-7819

**From:** [Veronica Shakotko](#)  
**To:** [PlanningCommission](#)  
**Cc:** [Nesse, Katherine](#); [Mandt, Kirsten](#); [Whipple, Nicholas](#); [BahnMiller, Hannah](#); [Abe, Linda](#)  
**Subject:** Middle Housing LUCA Written Comments - February 12 Agenda  
**Date:** Monday, February 10, 2025 5:14:54 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[Bellevue PC Middle Housing Comment Letter Feb 10 2025.pdf](#)

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Chair Craighton and Planning Commissioners,

In preparation for Wednesday evening's study session on the middle housing and ADU/DADU LUCA, attached please find MBAKS' supplemental comment letter dated February 10, 2025.

As you move forward with the implementation of HB 1110 and HB 1337, MBAKS encourages you to keep in mind that each additional requirement or restriction increases costs and delays the ability to bring homes to market. The more cost-effective it is to build middle housing, the more likely it will be constructed, and the more attainable it will be for those in need of a place to call home. MBAKS' overarching suggestion for cities implementing middle housing is to keep it simple. Simplified processes, fewer restrictions, and lower costs will result in more housing being built and greater affordability for residents. To this end, MBAKS urges you to consider the attached recommendations to enable more housing choices, reduce costs, and promote the creation of middle housing and ADU/DADUs in Bellevue.

MBAKS also urges caution when implementing affordable housing fees on middle housing construction as it could unintentionally undermine the ability to provide more housing stock in Bellevue. By imposing fees that apply to all new construction, regardless of the type or scale, the city risks making middle housing and ADU/DADUs financially infeasible. This could, in turn, slow down or even halt diverse housing options.

We appreciate your thoughtful consideration. If you have any questions, please don't hesitate to contact me at [vshakotko@mbaks.com](mailto:vshakotko@mbaks.com) or 425.435.8990.

Respectfully,  
Veronica

P.S. For your reference and additional information, [here](#) is MBAKS' initial comment letter dated October 9, 2024 and [here](#) is MBAKS' Middle Housing Implementation Plan.



**Veronica Shakotko**  
Senior King County Manager  
Master Builders Association of King and Snohomish Counties  
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Find us on [f](#) [t](#) [in](#) [o](#)  
We believe everybody deserves a place to call home.



February 10, 2025

Bellevue Planning Commission  
450 110<sup>th</sup> Ave. NE  
Bellevue, WA 98004

RE: Middle Housing and ADU/DADU LUCA – February 12 Agenda

Dear Chair Craighton and Planning Commissioners:

The Master Builders Association of King and Snohomish Counties (MBAKS) thanks you for the opportunity to provide comments on Bellevue’s work to encourage more housing within the city and implement middle housing and ADU code updates. MBAKS is the nation’s oldest and largest local homebuilders association, helping to make home happen since 1909. We believe everyone deserves a place to call home.

Encouraging the development of middle housing, accessory dwelling units (ADUs), and detached accessory dwelling units (DADUs) is crucial for achieving Bellevue’s housing target of 35,000 additional homes by 2044. These housing options will play a pivotal role in accommodating our growing population while offering more affordable and accessible housing choices.

As you move forward with the implementation of HB 1110 and HB 1337, MBAKS encourages you to keep in mind that each additional requirement or restriction increases costs and delays the ability to bring homes to market. The more cost-effective it is to build middle housing, the more likely it will be constructed, and the more attainable it will be for those in need of a place to call home.

MBAKS’ overarching suggestion for cities implementing middle housing is to keep it simple. Simplified processes, fewer restrictions, and lower costs will result in more housing being built and greater affordability for residents. To this end, MBAKS urges you to consider the following recommendations to enable more housing choices, reduce costs, and promote the creation of middle housing and ADU/DADUs in Bellevue.

#### **Allow Flexibility in Development Standards to Enable More Housing Choices**

- Provide flexibility to manage the scale of projects through lot coverage and floor area ratio (FAR).<sup>1</sup>

<sup>1</sup> Allow the following FAR at a minimum:

Unit density on the lot	Minimum floor area ratio (FAR)
1	0.6
2	0.8
3	1.0
4	1.2
5	1.4
6	1.6



- Do not require design review for middle housing to streamline the approval process and reduce costs.
- Adopt the setbacks recommended in [model ordinance](#).<sup>2</sup>
- Exclude items from the calculation of interior floor area as recommended in the model ordinance guidance.<sup>3</sup>
- Allow greater use of private drive access without placing limits on the number of homes that can be served by them, to increase flexibility for site layouts, reduce costs, and facilitate more housing choices.
- To incentivize the development of cottage housing, allow:
  - At least a two-for-one density bonus.
  - Cottages up to 1,750 square feet of net floor area, excluding attached garages.
  - Reduced side yard setbacks to maximize usable land.
- Eliminate or significantly reduce mandated minimum parking mandates, especially near transit or in areas with available street parking.
- Consider adopting a form-based development code to promote efficient and context-sensitive design.

#### **Focus on Home Ownership and Affordability**

- Adopt provisions that allow middle housing to be created for ownership through methods in addition to a condominium (e.g. unit lot subdivision).
- Reduce costs to create middle housing by waiving or significantly reducing permit fees, impact fees, utility connection fees, and street improvement requirements.
- Allow middle housing units to be independently metered by utilities.
- Do not require undergrounding of utilities when it makes a project financially infeasible, as this can add significant costs.

#### **Align Updates with Other City Codes**

- Implement a Clearing & Grading Code Amendment to reduce the current 200-foot setback from critical area buffers to 20 feet rather than the entire plat being disqualified from clearing. This would allow more flexibility for individual lot clearing while infrastructure clearing and grading (C&G) work is occurring, prior to the issuance of individual building permits.
- Ensure updates align with the Transportation Code, Utilities Code, and Tree Code to maintain consistency and streamline development processes.

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<sup>2</sup> Street or front: 15 feet, except 10 feet for lots with a unit density of three or more; Street or front, garage door (where accessed from a street): 20 feet; Side street: Five feet; Side interior: Five feet, and zero feet for attached units internal to the development

<sup>3</sup> Exclude the following from calculation of interior floor area: Cottage housing developments meeting the standards of Section 8 of the [model ordinance](#) for cities with a population greater than 25,000; Unoccupied accessory structures, up to a maximum equal to 250 square feet per middle housing unit; Basements, as defined by the city's development regulations; Unenclosed spaces such as carports, porches, balconies, and rooftop decks.



### Potential Affordable Housing Fees-In-Lieu

While MBAKS fully supports efforts to address the affordable housing crisis, we urge caution when implementing fees on middle housing construction as it could unintentionally undermine the ability to provide more housing stock in Bellevue. By imposing fees that apply to all new construction, regardless of the type or scale, the city risks making middle housing and ADU/DADUs financially infeasible. This could, in turn, slow down or even halt diverse housing options.

Affordability provisions would be more feasible and likely to be used if the city were to increase thresholds to projects with 10 or more units and offer a fee in-lieu option on these denser projects as an alternative path to compliance. We are concerned that a fee in-lieu program for small scale projects will increase housing costs and reduce permit applications.

We have seen this happen in Seattle because of its MHA program that went into effect in 2019. Post-MHA townhome permit intake dropped by nearly 70 percent. This means that 3,210 people each year must now look elsewhere for a home, amplifying the housing affordability crisis. Similarly, Seattle could lose \$1.74 billion in revenue over the next 30 years from thousands of townhomes not being built. Other jurisdictions avoid these negative impacts by exempting small projects.

MBAKS is committed to partnering with the city to create a workable middle housing code that facilitates the construction of homes, ensuring that we meet the housing needs of Bellevue's growing population. By making it simpler, more flexible, and more cost-effective to build middle housing and ADU/DADUs, we can ensure that it is built, affordable, and accessible for all who need it.

We thank you for the opportunity to comment on the middle housing and ADU/DADUs policies. If you have any questions, please don't hesitate to contact me at [vshakotko@mbaks.com](mailto:vshakotko@mbaks.com) or 425.435.8990. Thank you for your consideration.

Sincerely,



Veronica Shakotko  
Senior King County Government Affairs Manager  
Master Builders Association of King and Snohomish Counties

CC: Kirsten Mandt, Senior Planner  
Nick Whipple, Assistant Director  
Linda Abe, Affordable Housing Planning Manager  
Hannah Bahnmler, Senior Affordable Housing Planning Manager



**From:** [phyllisjwhite@comcast.net](mailto:phyllisjwhite@comcast.net)  
**To:** [PlanningCommission](#)  
**Cc:** [Goeppele, Craighton](#); [Cuellar-Calad, Luisa](#); [Bhargava, Vishal](#); [Khanloo, Negin](#); [Ferris, Carolyn](#); [Malakoutian, Mo](#)  
**Subject:** Land Use Code Amendment (LUCA) & Rezone and its Impact on the Wilburton/NE 8th/BelRed Subarea (Single-Residential Neighborhood between NE 8th and BelRed Road)  
**Date:** Tuesday, February 11, 2025 1:33:31 PM  
**Attachments:** [2025-Jan-22 Planning Commission Letter with Added Resident Signatures.docx](#)

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Please add this to the public records:

Dear Chair Goeppele, Vice-Chair Cuellar-Calad, and Commissioners Bhargava, Ferris, Khanloo, Lu, Villaveces, and Deputy Mayor Malakoutian,

I am sending this letter requesting for additional considerations for our neighborhood because of its environmental significance to the city of Bellevue.

Wilburton is currently characterized by a mix of single-family, multi-family, and affordable residential neighborhoods, with a 39% tree canopy. A significant portion of our neighborhood is shaped by the Great Kelsey Creek Watershed, including its wetlands, floodplains, salmon-bearing streams and tributaries, as well as zoning restrictions that regulate Floor Area Ratio (FAR) and setbacks to preserve neighborhood resilience and integrity.

Existing land use policies enforce a 0.5 FAR cap in R-1 through R-7.5 zones and require generous setbacks to allow for stormwater infiltration, green spaces, and wildlife corridors.

The proposed LUCA introduces significant changes that undermine these protections. It removes FAR limits for middle housing, allowing for denser development without appropriate environmental considerations. Additionally, it reduces minimum setbacks, including:

- **Front yards reduced by up to 10 feet**, allowing structures to be built closer to the street.
- **Side yard setbacks reduced to 5 feet**, eliminating the previous 15-foot combined requirement.
- **Rear yard setbacks reduced by up to 15 feet**, increasing lot coverage and impervious surfaces while reducing pervious surface areas.
- **Greater height of buildings** adding to the impervious surface area.

The proposed changes to Wilburton's Land Use Code could significantly impact our neighborhood's environmental protections and overall resilience with the following effects:

### **Impact on Critical Areas and Environmental Protections**

- **Increased Lot Coverage:** Removal FAR limits would increase impervious surface area and exacerbate urban heat effects, stormwater runoff, which in turn disrupt natural habitat survival needs in Wilburton's wildlife corridors.
- **Increased Impervious Surface Area:** Leads to further fragmenting wildlife corridors, flooding in nearby streams and wetlands, and will directly affect salmon-bearing streams that require specific canopy coverage for temperature regulation.
- **Stormwater runoff:** Increased impervious surfaces will worsen flooding risks and degrade water quality in salmon streams, and out of compliance with Bellevue's Climate and Environment Element (CL-15 & CL-28).
- **Tree canopy reduction:** Wilburton currently has 39% tree canopy, The

Environmental Stewardship Plan's citywide goal of 40% tree canopy does not reflect the **higher canopy needs of riparian areas**, which are necessary to regulate stream temperatures and protect habitat integrity. The Department of Fish and Wildlife (WDFW) recommends protecting significant, landmark, and heritage trees in riparian wildlife corridors with a standard typical 3:1 tree replacement and tree height buffer zones.

- **Wildlife habitat loss:** Reduced setbacks and increased FAR allowances will further fragment wildlife corridors, disrupting key migration paths and nesting areas.

Without required site-specific impact reviews these recommendations may not be effectively implemented. LUCA's proposed density increases do not adequately mitigate these concerns to meet Bellevue's long-term Environmental Stewardship Plan Goals.

### **Neighborhood Resilience and Integrity**

Bellevue's Comprehensive Plan 2044 explicitly prioritizes maintaining and strengthening neighborhood resiliency.

### **Neighborhood Element and Land Use:**

- Land Use Policies LU-1 through LU-3 emphasizes that growth must be balanced with protecting existing neighborhood diversity needs ensuring compatible transitions between different development types. The proposed LUCA threatens these objectives by pushing high-density development deeper into an established neighborhood watershed and its natural resources.
- Housing Affordability: While the removal of FAR limits for middle housing could potentially increase housing supply, it might also lead to higher property values which can impact affordability and cause displacement.
- Residents are concerned about increased traffic, noise, and decrease in overall quality of life due to the denser development as we are already surrounded by an immense growth.

### **Proposed Alternative & Responsible Growth Strategy**

Rather than implementing an aggressive upzone, I urge the Planning Commission to consider a phased approach that aligns with Bellevue's long-term planning goals:

1. Limit density increases to areas immediately adjacent to the light rail station, rather than rezoning deeper into existing residential neighborhoods with a special natural habitat. Use the best available science methodologies without strong reliance on unproven methods and human behavior.
2. Ensure infrastructure improvements are funded and implemented before approving higher-density zoning changes (e.g., road widening, pedestrian safety improvements, school capacity expansions).
3. Incentivize smaller density housing (duplexes, DADUS with less FAR) instead of large-scale mixed-use developments that are inconsistent with Wilburton's existing residential areas. Use the best available science to minimize the effects of development and increasing impervious surfaces.
4. Protect critical green spaces and require a minimum tree canopy retention percentage for new developments to align with Bellevue's Environmental Stewardship Plan and WDFW recommendations.
5. Consider implementing an IOC until the Critical Area Ordinance is reviewed and completed.
6. Consider implementing immediate special considerations for residential areas with wildlife corridors and conservation areas before the LUCA rezone.

Lastly, I want to also share that we are also concerned about higher property values and urban displacement which can impact long time resident home owners. The proposed LUCA and rezone for Wilburton/NE 8th/BelRed fail to align with Bellevue's Comprehensive Plan, environmental goals, and infrastructure capacity. While I support responsible growth, this proposal prioritizes development over community well-being. I urge the Planning Commission to modify the proposal to ensure Wilburton and land with critical areas remain a livable, sustainable, and well-planned for for all residents--honoring the investments of long-standing community members, protecting vulnerable home owners, and protecting this area for future generations.

Thank you for your time and consideration.

Sincerely,

Phyllis White

Wilburton Resident

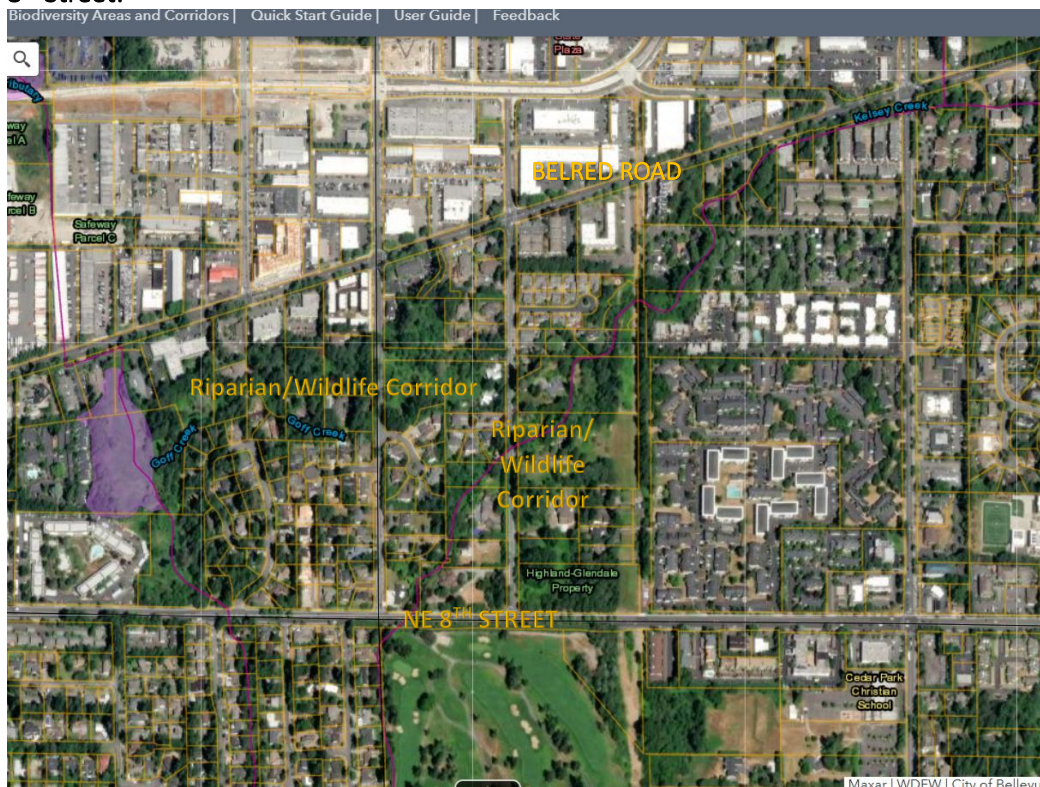
Attachments: Letter from Concerned Wilburton and Bellevue Residents with additional names

Subject: Urgent Need to Preserve the Kelsey Creek Watershed and Protect Tree Canopies in the Wilburton/NE 8th Subarea Amidst Upzoning and Comprehensive Plan Implementation

Dear Bellevue City Council and Members of the Bellevue Planning Commission,

The [Kelsey Creek Watershed](#), located in the heart of the Wilburton neighborhood, is Bellevue's most critical urban stream ecosystem. It plays a vital role in sustaining wildlife, mitigating urban flooding, and maintaining the city's ecological resilience. However, increased development pressure threatens these vital functions. [As residents, we urge the Planning Commission Board and the city of Bellevue to prioritize the protection of riparian corridors, tree canopies, and wildlife habitats in the Wilburton/NE 8th Subarea, particularly in the areas near BelRed, specifically 130-136<sup>th</sup> streets \(130<sup>th</sup>, 132<sup>nd</sup>, 134<sup>th</sup>, and 136<sup>th</sup> Streets\).](#) An email from Morgan Krueger, of the Washington Department of Fish and Wildlife (WDFW), notes that the Wilburton/BelRed subarea has unique ecological features and questions the practical needs of a rapidly developing neighborhood in this vital part of the Kelsey Creek Watershed.

**Map of Wilburton Streams and Critical Areas Show the Greatest Tree Density in this area, the neighborhood north of NE 8<sup>th</sup> Street:**



**Concerns About Development and Habitat Loss**

Wilburton has experienced the greatest loss of tree canopy compared to other Bellevue neighborhoods. The Kelsey Creek sub-basin has the lowest riparian canopy cover and the highest impervious surface cover of all Bellevue watersheds. The watershed supports a rich urban biodiversity, providing critical habitats for endangered and priority species such as bald eagles, great blue herons, Chinook salmon, and Western Pond turtles, while protecting against urban pollution and flooding.

Unchecked upzoning and housing expansion will further degrade these already vulnerable ecosystems unless stronger environmental protections are adopted as **85.5% of Wilburton's riparian corridor lies on private property.**

**Greater Kelsey Creek Watershed Assessment Report prepared by Jacobs Engineering Inc. in Support of the City's Watershed Plan**

- The Kelsey Creek Watershed Assessment Report emphasizes the significance of the Kelsey Creek Watershed as a critical stream ecosystem in Bellevue as **one of the last remaining significant riparian corridor within urban residential areas.**

- Urban development has severely impacted the watershed, leading to habitat fragmentation, reduced tree canopy, and degraded water quality. However, its relatively intact floodplain and wetlands provide opportunities for restoration and ecological resilience.
- The riparian areas along Kelsey Creek are priority habitats, essential for maintaining biodiversity in Bellevue. These corridors act as linkages for wildlife, facilitating ecological connectivity and resilience

### Wilburton and Its Surrounding by High-Density Growth

Bellevue's housing goals can be met without destroying Wilburton's last urban riparian corridor, as significant density developments are already being planned for this area :

- **BelRed District:** 5,000+ new housing units, exceeding Wilburton's total housing stock.
- **Spring District:** A high-density, transit-oriented urban center with thousands of new apartments and commercial spaces.
- **Wilburton Vision Implementation Plan:** Further high-rise, mixed-use developments that will more than double Wilburton's current housing density.

With these developments already providing substantial growth, preserving Wilburton's critical habitats and wildlife corridors ensures that growth does not come at the expense of Bellevue's most valuable natural ecological resources.

### Wilburton Residents Concerns About Upzoning & Environmental Impact

To better understand residents' perspectives, we conducted a Wilburton Housing Poll, distributing 79 surveys to the approximate 100 single-family homes in Wilburton north of NE 8<sup>th</sup> Street, from 130<sup>th</sup> to 136<sup>th</sup> (130<sup>th</sup>, 132<sup>nd</sup>, 134<sup>th</sup> and 136<sup>th</sup> streets in the Wilburton/BelRed/NE 8<sup>th</sup> Subarea. We received 63 (of the 79) completed surveys. The results of the 63 surveys revealed the following:

- **97%** feel increasing density with middle housing options would negatively impact the neighborhood's quality of life.
- **92%** believe preserving the environment outweighs the benefits of increasing housing density to preserve the Wilburton's ecosystem.
- Public comments expressed deep concerns over infrastructure strain.

### The Kelsey Creek Watershed: A Vital Riparian Corridor

1. Kelsey Creek is a Vital Riparian Corridor in a Rapidly Urbanizing Area
  - The Kelsey Creek Watershed is one of the last remaining riparian corridors intersecting with Bellevue's urban residential neighborhoods. Development pressures in the Wilburton/NE 8<sup>th</sup>/BelRed Subarea threaten its ecological resilience. (1)
  - Its preservation ensures habitat connectivity in a city increasingly defined by impervious surfaces and fragmented green spaces. (1)
2. Critical Habitat for Priority and Endangered Species
  - The Kelsey Creek Watershed supports the endangered and priority species Chinook salmon, Coho salmon, and Steelhead trout, under the Washington Department of Fish and Wildlife (WDFW) Priority Habitats and Species Program.
  - It provides habitats for land-based priority species wildlife such as bald eagles, great blue herons, and Western Pond turtles, which rely on its riparian zones for nesting and feeding.
3. Urban Flood Mitigation and Water Quality
  - Kelsey Creek plays a key role in stormwater management, absorbing runoff and reducing flood risks in surrounding residential and commercial areas.

- Its riparian vegetation improves water quality by filtering pollutants before they enter the stream.
4. Tree Canopy and Urban Heat Mitigation in Wilburton
- The watershed contains mature tree canopies that mitigate urban heat islands, improve air quality, provide shade, protection, purifying the air, and cooling temperatures.
  - Kelsey Creek in Wilburton has the lowest riparian canopy coverage and highest impervious surface percentage of all Bellevue watersheds, highlighting the urgency of its preservation.

### Comparison to Other Bellevue Watersheds

Compared to other watersheds like Coal Creek or Mercer Slough, Kelsey Creek is uniquely positioned:

- The Kelsey Creek Watershed directly intersects with urban residential neighborhoods and is immediately impacted by upzoning pressures.
- Mercer Slough, while also critical, benefits from larger, intact wetland areas, whereas Kelsey Creek is fragmented and more vulnerable to urbanization.
- Coal Creek flows through less densely developed areas, making Kelsey Creek's proximity to growth areas more ecologically at risk.

### Residents Support the Washington Department of Fish and Wildlife (WDFW) Recommendations

We, residents of Wilburton and throughout Bellevue strongly support the Washington Department of Fish and Wildlife (WDFW) recommendations to strengthen environmental protections in the Wilburton/NE 8th Street Plan, particularly for the critical riparian corridor north of NE 8<sup>th</sup> Street, encompassing Wilburton's 130<sup>th</sup> – 136<sup>th</sup> streets. WDFW emphasizes **immediate action** to adopt WDFW's Best Available Science (BAS) protections for the Wilburton/NE 8th Subarea, before any rapid development which will prioritize increased development over environmental resilience in the Wilburton Kelsey Creek Watershed.

The lack of climate resilience is evident in other parts of the city. For example, recently, an 8-Tower, 26-story project has been under review. Bellevue residents were not notified of revisions of the Pinnacle II plans. This raises concerns about the city's considerations of the project's impact on residents' well-being amidst rapid growth.

### WDFW's Key Recommendations

1. Expand Riparian Buffer Zones Using BAS:

- Use **Site Potential Tree Height (SPTH) at 200 years** to determine minimum buffer widths in place of Bellevue's outdated stream typing.
- Transition from outdated stream setbacks to **Riparian Management Zones (RMZs)** to ensure habitat connectivity.

2. Strengthen Tree Canopy Protection & Expansion:

- Wilburton has experienced the sharpest tree canopy decline in Bellevue, falling below the **40% retention target**.
- Require a **3:1 tree replacement ratio** for any lost canopy to offset urban heat impacts.
- Preserve **landmark and heritage trees (200+ years old)**, which provide critical nesting habitats for raptors, herons, and migratory birds, protection and the cooling, and purifying effects for the watershed and for residents.

3. Expand Wildlife Protections Beyond Fish Corridors:



- Protect and restore urban wildlife corridors connecting **Wilburton, Mercer Slough, and Lake Washington** to prevent further displacement.
- In line with the Transit-Oriented Development (TOD) vision in support of open space and natural systems, foster the Comprehensive Plan's natural determinants policies:
  - S-WI-16 Protect and enhance, streams, drainage ways, and wetlands in the Kelsey Creek Basin
  - S-WI-17 Prevent development from intruding into the floodplain of Kelsey Creek and the Goff Creek.

4. **Align Zoning with Bellevue's Environmental Policies:**

- **Growth Management Act (RCW 36.70A):** Mandates the use of BAS to protect critical areas and natural resources.
- **Shoreline Management Act (RCW 90.58):** Safeguards urban water bodies and floodplains.
- **King County Climate Action Plan (2024):** Calls for expanding tree canopy and improving stormwater management.
- **State Environmental Policy Act (RCW 43.21C):** Requires comprehensive Environmental Impact Assessments (EIAs).

5. The US Environmental Protection Agency provides guidance on **riparian buffer management**, stating that public access to watershed streams should be managed to avoid trampling vegetation, causing erosion, and disturbing aquatic habitats.

**Requested Action by the Planning Commission to Support the Vision of the City for Ecological Resilience**

We urge the Bellevue Planning Commission to:

1. **Integrate WDFW's Recommendations** in the Wilburton/NE 8th Subarea Plan, specifically the Wilburton north of NE 8<sup>th</sup> Street, 130<sup>th</sup>, 132<sup>nd</sup>, 134, and 136<sup>th</sup> streets for the ecological natural preservation of the Kelsey Creek Watershed.
2. Expand and restore riparian buffers, strengthen wildlife protections, and increase tree canopy restoration efforts.
3. Support the WDFW's recommendations for riparian buffers and WDFW's tree recommendations for the watershed connectivity.
4. Increase transparency and encourage public participation.

The Kelsey Creek Watershed and Wilburton's wildlife corridors and its ecosystem are irreplaceable resources. If we are to pursue climate resilience, protecting the remaining urban area of the Kelsey Creek Watershed in the Wilburton/NE 8<sup>th</sup>/BelRed subarea is critical. This is key to preserving and supporting Bellevue's vision of the city and ensure its resilience. Granted we have the Bellevue Botanical Gardens, a manmade open garden, but we have an opportunity to preserve this area as its natural environment. This will ensure Bellevue's climate resilience.

By protecting this area, it will ensure the watershed's natural ecology for future generations.

Thank you for your time and consideration. We look forward to working collaboratively for a sustainable, environmentally responsible future for Wilburton.

Sincerely,

**Signatures of Phyllis White & Concerned Residents of Wilburton and Bellevue:**

Phyllis White  
Linda Ulrich

Joel Ulrich  
Craig Spiegle  
Nicole Myers  
Barbara Hughes  
Cheryl Wang  
Renay Bennett  
Erin Powell  
Liz Hale  
John Wu  
Lee White  
Heidi Dean  
Suresh Velagapudi  
Fran Gold  
Brianna Daniels  
Tammy Miller  
Sachin Lande  
Jim Leguizamon  
Steve Engen  
Glen Kalmus

## References & Attachments

1. Kelsey Creek Watershed Assessment Report (2021), p. 2-67.  
[https://bellevuewa.gov/sites/default/files/media/pdf\\_document/2021/KelseyCreek\\_Assessment\\_Report\\_2021\\_1130.pdf](https://bellevuewa.gov/sites/default/files/media/pdf_document/2021/KelseyCreek_Assessment_Report_2021_1130.pdf)
2. WAC 365-195-900  
Background and purpose.  
(1) Counties and cities planning under RCW [36.70A.040](#) are subject to continuing review and evaluation of their comprehensive land use plan and development regulations. Periodically, they must take action to review and revise their plans and regulations, if needed, to ensure they comply with the requirements of RCW [36.70A.130](#).  
(2) Counties and cities must include the "best available science" when developing policies and development regulations to protect the functions and values of critical areas and must give "special consideration" to conservation or protection measures necessary to preserve or enhance anadromous fisheries.  
RCW [36.70A.172](#)(1). The rules in WAC 365-195-900 through [365-195-925](#) are intended to assist counties and cities in identifying and including the best available science in newly adopted policies and regulations and in this periodic review and evaluation and in demonstrating they have met their statutory obligations under RCW [36.70A.172](#)(1).  
(3) **The inclusion of the best available science in the development of critical areas policies and regulations is especially important to salmon recovery efforts, and to other decision-making affecting threatened or endangered species.**  
(4) These rules are adopted under the authority of RCW [36.70A.190](#) (4)(b) which requires the department of commerce (department) to adopt rules to assist counties and cities to comply with the goals and requirements of the Growth Management Act.  
[Statutory Authority: RCW [36.70A.050](#) and [36.70A.190](#). WSR 23-08-037, § 365-195-900, filed 3/29/23, effective 4/29/23. Statutory Authority: RCW [36.70A.190](#) (4)(b). WSR 01-08-056, § 365-195-900, filed 4/2/01, effective 5/3/01; WSR 00-16-064, § 365-195-900, filed 7/27/00, effective 8/27/00.]
3. Washington Department of Fish and Wildlife (WDFW) Recommendations (October, 2024), Attachment to email titled Bellevue Public Comments.
4. Washington State Growth Management Act (RCW 36.70A).



5. Shoreline Management Act (RCW 90.58).
6. King County Climate Action Plan (2024).
7. WDFW Priority Habitats & Species Program.
8. Wilburton/NE 8<sup>th</sup> Street Subarea Plan (2024)

#### Flood Zone: King County Public Records



**From:** [Robert Dias](#)  
**To:** [PlanningCommission](#)  
**Subject:** Public Comment Middle Housing Land Use Code Amendment to implement HBs 1110 and 1337  
**Date:** Tuesday, February 11, 2025 4:25:04 PM  
**Attachments:** [Outlook-ooqyd0k2.png](#)

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- The inclusion of solar requirements will significantly increase overall costs.
- Parking and garages are essential in Bellevue. Could we explore options such as additional FAR or lot coverage allowances, or exemptions for garages on multi-unit properties?
- Tree regulations remain a challenge. When I previously worked in Bellevue, the situation wasn't as difficult as it is now, but it appears to have become more restrictive over the past year.
- Larger lots, particularly in higher-end neighborhoods, are ideal for cottage-style homes. The challenge is that homeowners in these areas lack downsizing alternatives beyond stacked condominium units downtown.
- Smaller lots, particularly those under 7,200 square feet, need an FAR boost to remain viable. Duplex units would be a practical option on these properties. However, placing garages for both units may be difficult unless we can position them at the front (within the front setback).
- Multi-unit projects could benefit from reduced setbacks, both at the front and rear.
- We appreciate the inclusion of policies in the Comprehensive Plan that promote housing accessibility and affordability at various income levels.
- Middle housing, ADUs, and DADUs are key components of achieving Bellevue's target of 35,000 new homes by 2044.
- As HB 1110 and HB 1337 are implemented, please consider that every added requirement contributes to higher costs and delays in bringing homes to market.
- Making middle housing development as straightforward and cost-effective as possible will encourage new construction and improve access to homeownership.
- The development community requires adaptable standards that encourage creative solutions within projects, including:
  - Allowing flexibility in managing project size through modifications to lot coverage and floor area ratio (FAR).
  - Excluding certain elements, such as garages, from being factored into interior floor area calculations.
  - Providing more freedom in the use of private driveways without imposing limits on the number of homes they can support.
  - Reducing setbacks on both front and side yards.
- We also urge a greater emphasis on homeownership and affordability by:

- Supporting ownership options for middle housing beyond condominiums, such as unit lot subdivisions.
  - Ensuring that middle housing units have independent utility metering.
  - Avoiding unnecessary undergrounding of utilities when it poses financial challenges to the project.
- Aligning policies with other cities on key regulations, including tree codes, utilities, and transportation.
  - For example, adopting a Clearing & Grading Code revision to minimize the current 200-foot setback from buffers.
- Avoiding cost-prohibitive policies that deter housing development:
  - We are observing a negative impact on affordability due to added taxes, as seen in cities like Redmond and Seattle.
  - This additional cost burden could make middle housing projects financially unfeasible.
  - To offset this, we encourage measures such as waiving or significantly reducing permit fees, impact fees, and utility connection costs.
  - We hope to collaborate on innovative solutions that help facilitate the development of much-needed middle housing.

*Thank you,*

**Bobby Dias**

Entitlement Associate

[RobertD@blueprintcap.com](mailto:RobertD@blueprintcap.com)

Office 206.395.6356

Direct 425.583.5565



**From:** [Jodie Alberts](#)  
**To:** [PlanningCommission](#)  
**Cc:** [Jessica Clawson](#); [Joe Fain](#)  
**Subject:** PLUSH Feedback on COB's AH Strategy (2/12)  
**Date:** Wednesday, February 12, 2025 9:27:10 AM  
**Attachments:** [PC Affordable Housing 2.12.25.pdf](#)

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**[EXTERNAL EMAIL Notice!]** Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Chair Goepple and Members of the Bellevue Planning Commission,

Please find the attached letter from the Chamber's PLUSH Committee regarding the City's affordable housing strategy. We appreciate the opportunity to weigh in on this important matter and hope you will incorporate our feedback during this process.

Thank you,  
Jodie

**Jodie Alberts**

Vice President of Government Affairs | **Bellevue Chamber**  
M: 901.834.4261 | O: 425.213.1206 | E: [jodie@bellevuechamber.org](mailto:jodie@bellevuechamber.org)  
[BellevueChamber.org](http://BellevueChamber.org)



## PLUSH COMMITTEE

Permitting, Land Use, Sustainability, & Housing

[bellevuechamber.org](http://bellevuechamber.org)

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[staff@bellevuechamber.org](mailto:staff@bellevuechamber.org)



February 12, 2025

Planning Commission  
City of Bellevue  
P.O. Box 90012  
Bellevue, WA 98009

Re: Bellevue's Affordable Housing Strategy

Dear Chair Goepple and Members of the Bellevue Planning Commission:

On behalf of the Bellevue Chamber PLUSH Committee, we appreciate the opportunity to provide input on the City of Bellevue's affordable housing strategy. We commend the City's comprehensive plan goal of increasing housing units by 35,000 over the next 20 years. We encourage housing affordability at all income levels to address affordability challenges.

As the City advances its affordable housing strategy, we urge the Planning Commission to consider the following key points:

1. **Market Considerations in Affordable Housing Strategy**

Any affordable housing strategy must recognize and align with the realities of the housing market. To date, the private sector has been the primary driver of housing production in Bellevue. Without a thriving private development sector, the City will be unable to meet its ambitious housing goals. It is crucial that affordable housing policies do not inadvertently hinder private sector investment and development. Policies should be designed to support and collaborate with private developers rather than creating barriers to new housing supply. This point cannot be emphasized enough.

2. **Nexus and Proportionality in Regulations, Mandates, and Fees**

We remain significantly concerned about taxing housing to pay for housing. Any affordable housing mandates, including fees-in-lieu or incentive zoning requirements, must have a clear nexus and be proportionate to the impacts created by any upzone. As discussions around mandatory or incentive zoning structures continue in Wilburton, we emphasize the need for careful calibration of any mandatory or incentive program. While the work being done in Wilburton may serve as a reference, it should not be assumed that the same policies will be effective or legally viable when applied to other areas such as the Housing Options for Middle Affordability (HOMA) strategy, or Bel-Red.

3. **Multi-Family Tax Exemption (MFTE) Program as a Strategic Incentive**

We encourage the City to only consider changes to the Multi-Family Tax Exemption (MFTE) program that will increase voluntary participation in the program. The MFTE program has the

potential to serve as an effective incentive for market-rate developers to include affordable housing units within their projects. By leveraging MFTE, Bellevue can encourage the development of mixed-income housing while minimizing adverse impacts on the private sector's ability to build the housing the city desperately needs.

We appreciate the City's commitment to increasing housing opportunities and ensuring a balanced and equitable approach to affordable housing. We look forward to continued collaboration and discussion on these important issues and stand ready to work with the City to craft policies that achieve affordability without disrupting housing production.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Jodie Alberts". The script is fluid and cursive.

Jodie Alberts  
Vice President, Government Affairs

A handwritten signature in black ink, appearing to read "Jessica". The script is fluid and cursive.

Jessica Clawson  
PLUSH Committee Chair

**From:** [Lucas DeHerrera](#)  
**To:** [PlanningCommission](#)  
**Cc:** [Nesse, Katherine](#); [Mandt, Kirsten](#); [Whipple, Nicholas](#); [Bahnmitter, Hannah](#); [Abe, Linda](#)  
**Subject:** Middle Housing LUCA Written Comments - February 12 Agenda  
**Date:** Wednesday, February 12, 2025 9:31:21 AM  
**Attachments:** [image006.png](#)  
[Bellevue PC Middle Housing Public Comment 2.12.25.pdf](#)

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**[EXTERNAL EMAIL Notice!]** Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Bellevue Planning Commission and City Staff,  
Please find the attached public comments related to the upcoming Middle Housing legislation.

Thank you,

**Lucas J DeHerrera**  
Managing Director Land Use and Entitlements

[lucas@blueprintcap.com](mailto:lucas@blueprintcap.com)  
Office 206.829.3130  
Direct 206.229.9958





Hello City of Bellevue Planning Commission,

My name is Lucas DeHerrera of Blueprint, a local developer in Seattle and Kirkland looking to expand into Bellevue. We are the leading small infill residential developer in Seattle and Kirkland and we hope to bring our decades of experience and success with middle housing to Bellevue. Please accept these comments regarding implementation of the ordinances to comply with HBs 1110 and 1337.

While the State has clarified many elements that need to be included in compliant local codes, there are many elements under your purview that can make the middle housing goal a reality. Providing flexibility is key to successful infill development, while still holding overarching regulations that are easy to understand review and implement. With competing interests of other code requirements such as but not limited to tree regulations, critical areas regulations, drainage requirements and infrastructure requirements, making a usable easy to understand code that recognizes the complexity of the other applicable codes is imperative.

Create codes that are easily understood and cost effectively analyzed efficiently to reduce the risk of unknown outcomes. Codes should be easy for staff to review against drawings to lessen ambiguity, subjectivity, and inconsistency in application. Codes that limit bulk and scale, like lot coverage and FAR, should be tailored to multiple unit development when proposed, considering each unit will, in most cases have parking and driveways. Design concepts on any draft code must be evaluated on real project sites prior to implementation. Please align triggers for infrastructure improvements costs to be in line with housing goals. Please do not create a one size fits all approach as there are many successful design solutions that can take different forms.

Below are elements to be cognizant when drafting the legislation and processes. These elements can help guide middle housing to be successful in Bellevue:

- Create policies in the Comp Plan that support housing and affordability at all income levels.
- Encouraging middle housing, ADU and DADU development is essential to hitting Bellevue's housing target of 35,000 additional homes by 2044.
- Creating a staff environment and mentality that facilitating projects that increase density in our Urban Growth Boundaries is something they should feel proud of, they play a large part in executing our state's plan of how to grow smart.
- As you consider how to implement HB 1110 and HB 1337, please keep in mind that every additional requirement adds cost and delays getting homes to market.
- The easier and more cost-effective it is to build middle housing, the more likely it is to be built, and the more attainable it will be for residents.
- Please be efficient with standards for driveways, easements, access points and parking. Requiring unnecessary dimensional requirements for small developments results in inefficient use of land.
- The building community needs flexibility in development standards that will allow us to be creative within the project site including:
  - Provide flexibility to manage the scale of projects through lot coverage and floor area ratio (FAR).
  - Exclude items from the calculation of interior floor area like garages. Garages & Parking are a market requirement in Bellevue, so please consider this when deciding allowable FAR or lot coverage, likely each unit needs a garage to be marketable, in most cases.



- If a project isn't marketable, it won't get built.
- Allow greater use of private driveway/easement access without placing limits on the number of homes that can be served by them.
- Reduced side, front and internal yard setbacks.
- Create incentives for preserving existing structures/housing on new development projects.
- Create flexibility in the tree code to accommodate development. Use carrots and waivers to standards to encourage tree protection but please do not draft codes that result in units that are not marketable, developable, and unable to reach their development potential. Make determinations on requests for approval of any waivers when saving trees easy to obtain and create the ability to have preliminary approval during feasibility.
- Work to reduce the review times necessary complete platting actions to accommodate small infill development.
- Focus on home ownership and affordability.
  - Adopt provisions allowing middle housing to be created for ownership in addition to a condominium (e.g. unit lot subdivision). Please review Seattle's unit lot subdivision process, they have been doing them for 20 years, no need to recreate the wheel, learn from their bruises.
  - Allow middle housing units to be independently metered by utilities.
  - Do not require undergrounding of utilities when doing so makes project financially infeasible.
  - A financially infeasible project is one that never gets built.
- Avoid pitfalls that make building more costly
  - We're seeing a negative impact of an affordable housing tax (e.g. Redmond and Seattle) being added to all new construction. Especially on small infill projects of 2 - 10 units.
  - This substantial cost could make many middle housing projects financially infeasible.
  - Instead, we encourage you to find ways to reduce costs to create middle housing. This should include waiving or greatly reducing permit fees and impact fees, utility connection fees, and street improvement requirements.

A housing crisis demands crisis level change, thank you for being that change!

Respectfully,

**Lucas J DeHerrera**

Managing Director Land Use and Entitlements




**From:** [Jake Lybeck](#)  
**To:** [PlanningCommission](#)  
**Subject:** Public Comment Middle Housing Land Use Code Amendment to implement HBs 1110 and 1337  
**Date:** Wednesday, February 12, 2025 10:53:14 AM  
**Attachments:** [image001.png](#)

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**[EXTERNAL EMAIL Notice!]** Outside communication is important to us. Be cautious of phishing attempts. Do not click or open suspicious links or attachments.

Hi,

- ADU/DADU and Cottage development is essential to hitting Bellevue's housing target of 35,000 additional homes by 2044.
- Adopt provisions allowing middle housing to be created for ownership through methods in addition to a condominium (e.g. unit lot subdivision).
- Allow middle housing units to be independently metered by all utilities.
- Avoid pitfalls that make building more costly (Street & Utility improvements)
- Thank you for adopting policies in the Comp Plan that support housing and affordability at all income levels.
- Do not require Floor Area Ratio, Allow Middle house to only have Setback and Height restrictions.

Thanks,

Jake

**Jake Lybeck**

Acquisitions Manager

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**Nesse, Katherine**

---

**From:** p johnston <pamjjo@msn.com>  
**Sent:** Friday, February 14, 2025 1:49 PM  
**To:** Council  
**Cc:** PlanningCommission  
**Subject:** Don't slash Bellevue's Assests

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Don't give away affordable housing future by giving away City of Bellevue property

I became aware of Land banking When developers in downtown Bellevue used the strategy for their investments

Land banking is our best strategy for affordable housing Bellevue cannot be affordable without some sort of social housing. Land banking creates assets that can fund future investments in affordable housing

HO-54. Explore the creation of a land bank to acquire land for future affordable housing needs as opportunities arise.

Housing projects and Parks to accompany those projects take a long time. Don't giveaway or sell based on the short term..

*Land banking is an investment strategy. The City acquires or devotes land to this strategy. That land is an assent the City can use to borrow or keep as an assest until needed. The land is put to use for housing or a source for affordable housing fund., The dollars available for afforable housing grows, rahter then being a sunk cost. Bellevue can use this land to make contracts with affordable housing organizations to use it for housing or can use the ability to borrow on it for affordable housing or both.*

Fyi  
The State uses land banking for open space.

*-p*

## Nesse, Katherine

---

**From:** p johnston <pamjjo@msn.com>  
**Sent:** Monday, February 17, 2025 5:24 PM  
**To:** ServiceFirst  
**Cc:** PlanningCommission; TransportationCommission; Adkins, Genesee  
**Subject:** Commission Videos Posting Process too slow and inconsistant

**Follow Up Flag:** Follow up  
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Planning Commision and Transporation Commission from last week are not yet posted.  
See Calendar:

Name: Planning Commission

Planning Commission

Planning Commission

Planning Commission

Name: Transportation Commission

Transportation Commission

Transportation Commission

Transportation Commission

Result:

- Barrier to interested stakeholders, who may not check back
- Difficult to understand without the visuals for general public
- Information lost when you can't see who is talking

Expect

- Expect to be posted within 24hr
- Better would be immediately after the meeting
- Process and tools to make posting fast and consistent

thank you,  
-pamela johnston