

Nesse, Katherine

From: Saghar Amini <Saghar.Amini@habitatskc.org>
Sent: Thursday, September 4, 2025 3:08 PM
To: PlanningCommission
Subject: HOMA Comment Letter
Attachments: HOMA.pdf

You don't often get email from saghar.amini@habitatskc.org. [Learn why this is important](#)


[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.

Dear Bellevue Planning Commission,
Please see attached for Habitat for Humanity's comment letter on HOMA. Thank you for your continued leadership.

Sincerely,
Saghar Amini (she/her) | Advocacy and Policy Manager
C (425) 628-4347 | saghar.amini@habitatskc.org
Habitat for Humanity Seattle-King & Kittitas Counties
www.habitatskc.org | www.buyhabitat.org

[Text Habitat to 231-Habitat \(231-422-4828\) to sign up for our Advocacy Alerts!](#)



 [Book time to meet with me](#)

CONFIDENTIALITY NOTICE: Any message sent via email is not secure/encrypted (unless otherwise noted). Please do not include any sensitive information such as account numbers, social security numbers, driver's license numbers, birth dates or service requests on email. **PLEASE NOTE:** This email contains material that is for the sole use of the intended recipient and may be confidential, privileged, and exempt from disclosure under applicable law. Any unauthorized review, use or distribution is prohibited and may be unlawful.



Habitat
for Humanity[®]

Seattle–King & Kittitas Counties

we build **strength, stability** and **self-reliance** *through shelter*

Dear Bellevue Planning Commission,

On behalf of Habitat for Humanity, thank you for the opportunity to comment on the Housing Opportunities in Mixed-Use Areas (“HOMA”) Land Use Code Amendment (“LUCA”). We are grateful for the City’s leadership in centering affordable housing within the “Next Right Work” initiative and commend staff for their thoughtful approach to expanding housing opportunities in mixed-use areas.

As a nonprofit homebuilder, Habitat for Humanity has seen firsthand how access to affordable housing transforms lives; allowing families to build stability, thrive in their communities, and contribute to their community’s shared prosperity. We believe the HOMA LUCA represents a critical step toward realizing the vision outlined in the Bellevue 2044 Comprehensive Plan.

Ensuring Predictable Outcomes

While additional development capacity is an important tool, capacity on its own is not sufficient to meet Bellevue’s countywide housing targets. Between 2019 and 2044, nearly 85% of Bellevue’s housing growth must be affordable at or below 80% AMI. To achieve this, we encourage the Commission to consider a **mandatory affordable housing requirement (Option A)** as the most reliable and equitable approach.

A mandatory framework:

- Provides **predictability** in housing outcomes, ensuring that each project contributes to community needs.
- Reflects a **fair exchange of value**, as upzones increase development potential and should be balanced by public benefits in the form of affordable homes.
- Captures a **time-sensitive opportunity**, since affordability requirements can only be implemented at the time of an upzone.



Habitat
for Humanity®

Seattle–King & Kittitas Counties

we build **strength, stability** and **self-reliance** *through shelter*

Calibrating Feasibility

We recognize the importance of carefully calibrating requirements to ensure feasibility for a wide range of projects. Maintaining the 10% set-aside while exploring deeper affordability levels; potentially as low as 60% AMI with support from the Multifamily Tax Exemption (MFTE) may help address Bellevue’s most pressing housing needs while remaining practical for developers.

Fee-in-Lieu and Flexibility

We support including a fee-in-lieu option for both residential and commercial development to provide flexibility when unit performance is not possible. At the same time, it will be important to ensure that fees are set at levels that reflect the true cost of producing affordable housing at the targeted AMI levels. This balance will help preserve the effectiveness of the program.

We respectfully suggest that a catalyst program may not be necessary in HOMA areas, given that these are already established neighborhoods with infrastructure and services in place. We also support staff’s proposals to strengthen affordability tools in Downtown and mixed-use designations, such as adding “affordable housing” to the Downtown Amenity Incentive System.

Habitat for Humanity appreciates the City’s ongoing commitment to housing affordability and values the inclusive process that has guided the HOMA LUCA. We share the City’s vision of ensuring that Bellevue remains a place where families of all incomes can live and thrive. We look forward to continuing to collaborate with staff and Commissioners as this important work moves forward.

Sincerely,

Saghar Amini (She/Her)

Advocacy and Policy Manager

Habitat for Humanity Seattle King & Kittitas Counties

Nesse, Katherine

From: Evan Lee <evnl.business@gmail.com>
Sent: Thursday, September 4, 2025 8:58 PM
To: PlanningCommission
Subject: Next Right Work: Expand housing opportunities in mixed-use area

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.

I appreciate the direction this proposal is taking to expand housing opportunities in mixed-use areas. Allowing homes near services, shops, and transit is a critical step that can reduce the need for residents to shoulder the high costs of car ownership—costs that fall especially hard on households relying on affordable housing. The next step is to pair housing with community infrastructure: schools, clinics, childcare, and grocery access located nearby. Without these, families still face long, expensive trips for basic needs. By combining mixed-use zoning with intentional investments in community infrastructure, we can create structural improvements that keep total household costs manageable, not just the cost of rent.

Nesse, Katherine

From: phyllisjwhite@comcast.net
Sent: Friday, September 5, 2025 10:57 PM
To: Mandt, Kirsten
Cc: PlanningCommission; Council
Subject: Comments for Bellevue's Draft Amendments to the Critical Area Ordinance
Attachments: Wilburton Draft Cao Comment.docx; 8.25.25 WDFW's comments Bellevue CAO draft.pdf

[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.

Dear Kirsten,

Thank you for the opportunity to comment on Bellevue's draft amendments to the Critical Area Ordinance.

Please accept my attached letter as a record of comment.

Best regards,

Phyllis White
Wilburton Resident

To: Comments for Bellevue's Draft Amendments to the Critical Area Ordinance

Dear Kirsten Mandt,

I am writing in strong support of proposed amendments to Bellevue's Draft Critical Areas Ordinance (CAO) LUCA that incorporate science-based recommendations from the Washington Department of Fish and Wildlife (WDFW), as well as those proposed by community members. These amendments prioritize expanded buffer widths, riparian protections, and species conservation in the Wilburton subarea—a vital and rare ecological corridor within Bellevue. State law requires that all critical areas be regulated to achieve no net loss of ecological functions.

While housing growth is essential, the City currently has ample development capacity. Bellevue's Comprehensive Plan confirms that the city has capacity for over 152,000 housing units—more than **four times** the regional growth target of 35,000 units. Therefore, there is no legal or economic justification to expand density into critical areas like Wilburton. The current draft LUCA must reflect this reality and reinforce the City's legal obligation to protect critical areas and habitat under the Growth Management Act (GMA).

I strongly support the WDFW's August 25, 2025 comment letter recommending expanded 196-foot Riparian Management Zones (RMZs) for Type F streams using SPTH200 methodology, preservation of mature vegetation, mapping and restoring piped streams, and consideration of cumulative effects of development. These protections are necessary to prevent the irreversible degradation of the Wilburton corridor—a stream and wildlife corridor that is rapidly shrinking due to development pressure.

Moreover, I urge you to include **specific recognition and preservation of wildlife corridors** within the LUCA. The current draft fails to require connectivity or provide standards for functional fish and wildlife passage. This is a significant omission that reduces the effectiveness of the CAO, and undermines the function of the Wilburton corridor as habitat. The **removal of explicit wildlife corridor language** in the current LUCA is contrary to Bellevue Comprehensive Plan policies, the GMA's requirement to use Best Available Science, and the WRIA 8 Chinook Salmon Recovery Plan.

The Wilburton area lies within the **Pacific Flyway** migratory bird path, further increasing the ecological importance of preserving intact habitat and buffer zones. Canopy cover, groundwater flows, and connected stream segments support diverse wildlife including bobcats, deer, bald eagles, blue herons, hawks, coyotes, owls, beavers, salmon in Kelsey Creek and cutthroat trout. These species depend not only on isolated parcels but on large, connected ecological systems.

Additional points we urge you to include in LUCA revisions:

1. **Science-based buffer widths:** Adopt WDFW's 196-foot SPTH-based buffers for Type F streams, consistent with Best Available Science.
2. **Connectivity language:** Explicitly protect and require **wildlife corridors**, particularly within the Wilburton and Kelsey Creek/Goff Creek sub-basins. (20.25H.015)
3. **Mature vegetation protection:** Require preservation of existing native canopy, not just post-development landscaping.
4. **Stream daylighting buffers:** Apply buffer protections to piped/closed stream segments to allow for future daylighting and habitat restoration.
5. **No net loss of function:** Ensure that critical areas provide **functional ecological integrity**, not simply regulatory compliance. (per WAC 365-196-830 and WAC 365-190-080)
6. **Climate resilience:** Recognize that tree canopy, groundwater, and permeable soils are essential to climate adaptation and reducing urban heat islands.

7. **Cumulative effects:** Require a comprehensive review of cumulative impacts of density, traffic, and runoff in Wilburton.

Wilburton is already experiencing high traffic volumes from surrounding growth, particularly as arterials are used to bypass main corridors. Any further density will cause cascading impacts to groundwater, flood control, air quality, and ecological integrity. The Greater Kelsey Creek watershed is over 90% privately owned—meaning that most ecological preservation must happen through land use regulation, not through parks alone.

Please also consider that the **housing growth targets were projected during the COVID-19 pandemic**, when remote work and migration trends were in flux. Planning assumptions should be re-evaluated given changes in the post-COVID market, remote work, and slowing growth.

We urge the City to:

- Acknowledge that it will likely meet its targeted housing obligations, 35,000 housing units
- Avoid concentrating additional development in Wilburton's critical areas
- Adopt WDFW's August 25, 2025 recommendations in full
- Reinstate explicit language on **wildlife corridor connectivity** with no loss of its ecological functions
- Protect the Pacific Flyway and urban forest ecosystems

In closing, please act boldly to preserve Wilburton's ecological legacy. The systems we destroy now cannot be replaced later, and Bellevue residents overwhelmingly support environmental preservation over blanket urbanization.

Respectfully,

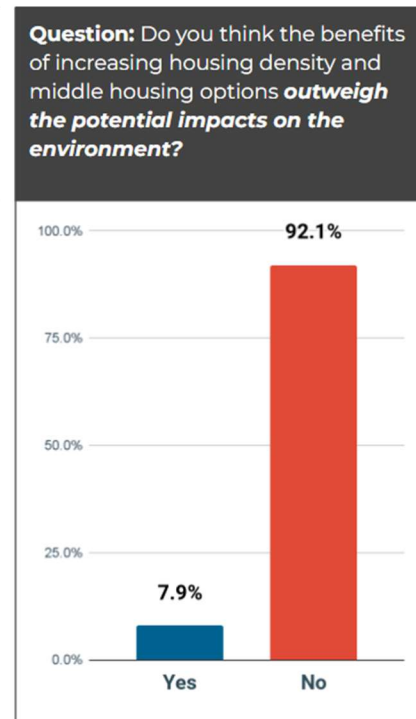
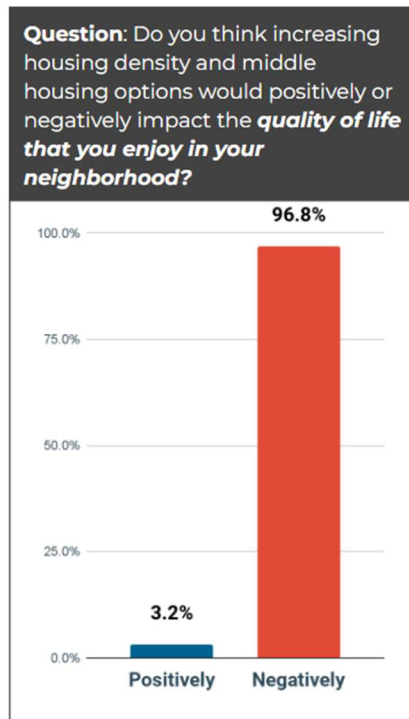
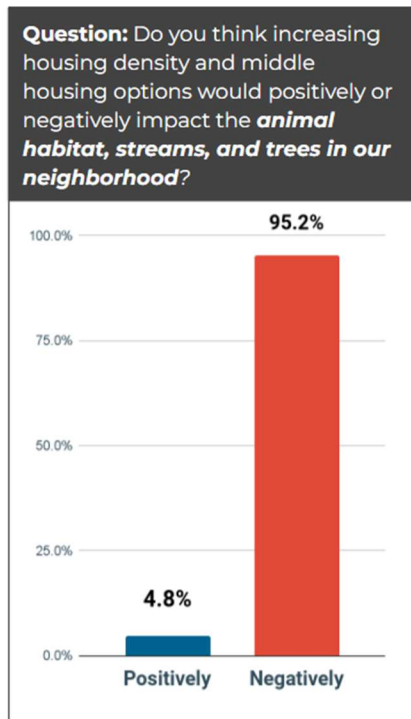
Phyllis White
Wilburton Resident
1057 134th Ave NE
Bellevue, WA 98005
September 5, 2025

Resources:

Here are key priorities that our Wilburton neighborhood considers significant and important:

- Prioritize the preservation of Wilburton's environmental ecosystem as they are essential for the health and integrity of Wilburton's critical areas. A survey was undertaken, reaching out to every Wilburton accessible Wilburton home on our single-family residential streets nearest to Bel-Red with marshlands and creeks running through the neighborhood. The survey results below show that the majority of residents prioritize the preservation of their neighborhood environment over housing density.

Results from 63 of 79 survey responses:

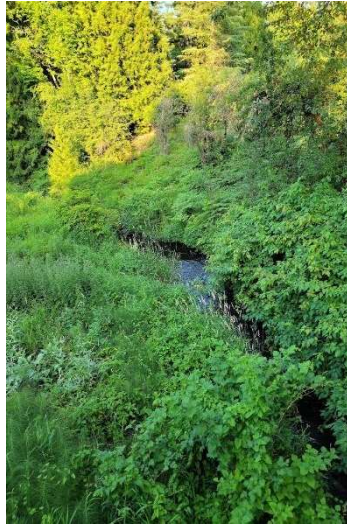


Photos of the Critical Areas

Below are a few photos of wildlife in our cul-de-sac and photos of some of our critical areas in neighboring streets:



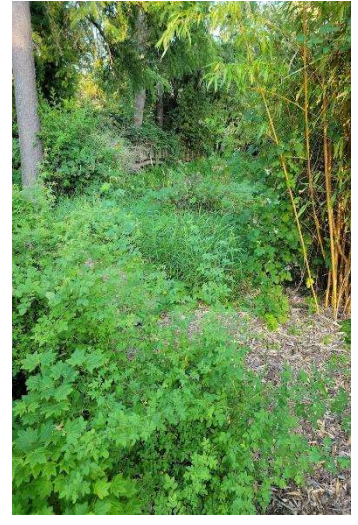
A Bald Eagle flying over my neighbor's roof. They nest in the tall trees around Kelsey Creek.



The Kelsey Creek on our street yesterday. History of Chinook, Coho, and Sockeye salmon spawn in Kelsey Creek.



Kelsey Creek in our neighbor's yard is unusually dirty on some days.

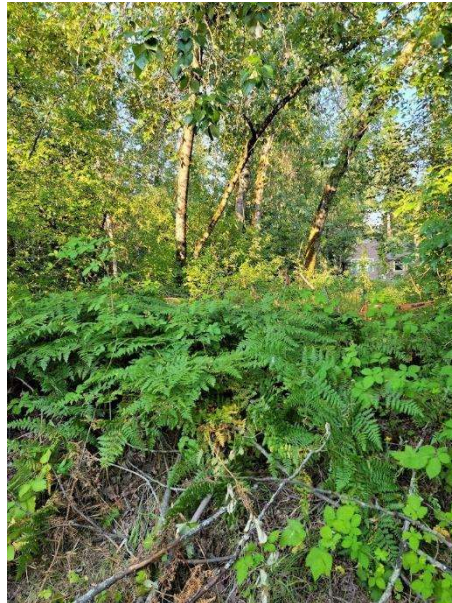


Marsh land under a bridge in a neighboring street on 132nd.

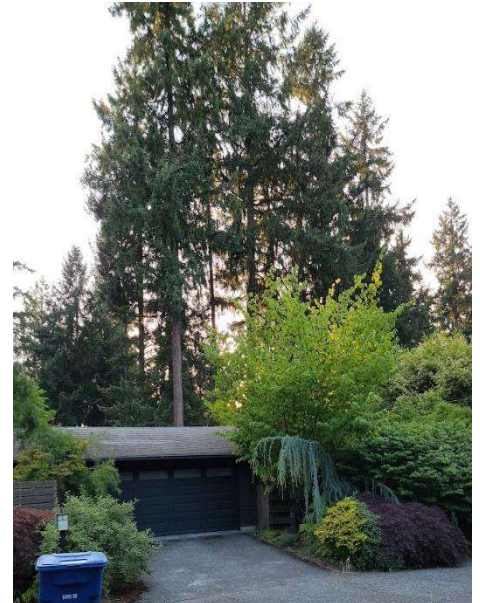
North of NE 8th, 134, 132nd, and 130th Ave NE neighborhood have streams, marshland, and mature tree canopies. Our neighborhood was a R-2.5 and is being designated for R-Suburban Medium, with single-family, duplexes, and cottage housing. Critical areas with many tree canopies would benefit remaining as low density housing (BCC 20.25H). Removing tree canopies would negatively impact the already affected streams and the cooling temperatures, which in turn would affect on the ecosystem and connectivity for the small area hosting Wilburton's wildlife. The sensitive ecosystem and its connected corridor cannot be recovered through mitigation.



Dense tree canopies in the Wilburton area that cools water and air temperatures.



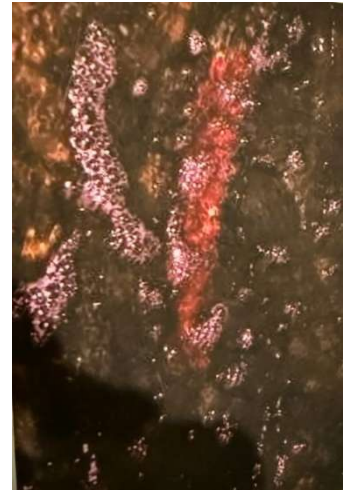
Wilburton home surrounded by marsh.



Homes in Wilburton, another example of the surrounding ecosystem which includes Goff Creek and Kelsey Creek.



Crustacean from the stream.



Salmon in stream. Salmon are not seen as frequently.

Neighborhood subareas next to major transit systems differ in character, density, landscape, and environment. A one-size-fits-all solution does not take into account the needs and characteristics of the affected areas and the impact it will have on residents' well-being, quality of life, and the natural environment. An approach tailored to meet our neighborhood's needs may improve the quality of life for all its residents and its surrounding communities.



State of Washington

Department of Fish and Wildlife, Region 4

Region 4 information: 16018 Mill Creek Blvd, Mill Creek, WA 98012 | phone: (425)-775-1311

August 25, 2025

City of Bellevue
Kirsten Mandt, Senior Planner
450 110th Ave NE
Bellevue, WA 98004

RE: Case ID 2022-C-188, WDFW's comments for Bellevue's draft amendments to the Critical Area Ordinance

Dear Ms. Mandt,

On behalf of the Washington Department of Fish and Wildlife (WDFW), thank you for the opportunity to comment on Bellevue's draft amendments to the Critical Area Ordinance (CAO) as part of the current periodic update. Within the State of Washington's land use decision-making framework, WDFW is considered a technical advisor for the habitat needs of fish and wildlife and routinely provides input into the implications of land use decisions.

We provide these comments and recommendations in keeping with our legislative mandate to preserve, protect, and perpetuate fish and wildlife and their habitats for the benefit of future generations – a mission we can only accomplish in partnership with local jurisdictions.

Table 1. Recommended changes to proposed code language.

Code Section	Code Language (with WDFW suggestions in red)	WDFW Comment
20.25H.005 Scope	Except for frequently flooded areas, the Critical Areas Overlay District does not apply to the Downtown.	State law requires that all critical areas be regulated to achieve no net loss of ecological functions (per WAC 365-196-830 and WAC 365-190-080), regardless of underlying zoning designations. It appears there are stream buffers and potentially wetlands present within the Downtown area that would fall under the protections of this chapter.
20.25H.015 Applicable procedure	...Critical areas provide essential environmental functions ecosystem services that benefit	Natural features, such as preserved vegetation, provide vital ecosystem services, including air and water purification, temperature regulation,

	the City and its residents, while critical area buffers provide the necessary space for critical area functions to persist and a layer of protection for these natural features from adjacent land...	and flood control, that directly benefit the community. Using the term 'ecosystem services' helps clearly communicate the value these natural resources offer to public health, safety, and overall quality of life. Additionally, buffers to critical areas serve multiple essential functions, with one of their primary roles being to provide the space necessary for these areas to maintain their ecological integrity. Wetland buffers help regulate water quality, reduce flooding, and protect habitat for sensitive species, while riparian management zones (stream buffers) filter pollutants before they reach streams, stabilize banks, regulate water temperature through shading, and support habitat connectivity for fish and wildlife.
20.25H.025 Designation of critical areas	...Together, streams, habitats associated with species of local importance, and steep slopes comprise fish and wildlife habitat conservation areas. Critical aquifer recharge areas are not designated by the City of Bellevue, but State Source Water Protection Program standards apply (WAC 246-290-135 as now or hereafter amended).	There are five critical area types that jurisdictions are required to address in their regulations, as outlined in WAC 365-196-830. We recommend revising this section to clearly list each of the required critical area types, along with examples of the specific land features that fall under each category. For instance, as noted in WAC 365-190-130, Fish and Wildlife Habitat Conservation Areas (FWHCAs) include a range of habitat types not currently reflected in the section referenced in this comment. Similarly, steep slopes are specifically identified under Geologically Hazardous Areas per WAC 365-190-120.
20.25H.030 Identification of critical area	B. Recording Required 2. Native Growth Protection Area a. An assurance that the NGPA will be kept free from all development and disturbance except where allowed or required for habitat improvement project, vegetation management, and new or expanded City parks pursuant to LUC 20.25H.055; and that native vegetation, existing topography, and other natural features will be preserved for the purpose of preventing harm to property and the environment, including, but not limited to, controlling surface water runoff and erosion, maintaining slope stability,	WDFW recommends including specific details for the required monitoring and maintenance of the NGPA. Does the city require proof via monetary assurances that an area will be fully restored (native vegetation, daylighted streams) in a specific timeframe? WDFW is aware of existing NGPAs in the City of Bellevue that are not currently maintained, are inundated with invasive/noxious vegetation species, or do not provide full buffer protection around a stream. Without detailed performance standards and assurances for NGPAs, the ecological functions of the NGPA may diminish over time. An example of an underperforming NGPA can be found on the Hampton Hotel parcel at 47.611851, -122.187199.

	buffering and protecting plants and animal habitat;	
20.25H.030 Identification of critical area	A. Determining Presence of Critical Area. A determination of whether a site contains a critical area or critical area buffer shall be made as part of the review process for the proposal,...	We strongly recommend requiring the identification of both the critical area itself and any associated buffers on-site, as critical area buffers are also subject to protections.
20.25H.030 Identification of critical area	B. Recording Required. 3. Tree Protection Covenant and Maintenance Assurance. As part of early site planning and prior to any clearing or grading activity, the Director may also shall require, where applicable, recording of a Tree Protection Covenant and/or a maintenance assurance device pursuant to LUC 20.20.900.F as part of a development application.	We recommend requiring tree protection measures before any clearing or grading to prevent unnecessary loss of canopy and ensure critical trees are considered early in site planning. This supports Bellevue's climate, habitat, and no net loss goals while helping avoid premature site disturbance before full environmental review.
20.25H.3 Identification of critical area	A. Determining Presence of Critical Area	<p>We recommend including a list of relevant maps to assist landowners in determining if a critical area is located on their property. For example, the City of Redmond provides maps for Fish and Wildlife Habitat Conservation Areas, Stream Classifications, Wetlands, Frequently Flooded Areas, Critical Aquifer Recharge Areas, Landslide Hazard Areas, Erosion Hazard Areas, and Seismic Hazard Areas. These maps should be living documents that are constantly updated with new information.</p> <p>WDFW also recommends confirming if existing mapping resources are accurate. For example, the existing Stream Map for the City of Bellevue has streams inaccurately labeled as non-fish when WDFW has made the determination that the stream meets the physical criteria to be considered fish-bearing. An example of an inaccurately labeled stream is Lakehurst Creek (GPS coordinates: 47.55888, -122.18944), which has been determined by WDFW to be fish-bearing, but is labeled on the Bellevue map as an Np stream.</p> <p>WDFW recommends encouraging applicants to reach out to WDFW to confirm the fish-bearing status of a stream, especially if the City plans to</p>

		<p>retain different buffers based on the fish-bearing status of streams.</p> <p>WDFW also recommends referencing our maps, such as the Priority Habitats and Species (PHS) on the Web app and the Fish Passage Web app.</p>
20.25H.035 Critical area buffers and structure setbacks	<p>A. Critical Area Buffer.</p> <p>Table- general comment</p>	<p>This table appears duplicative, as buffer standards are already specified in the sections dedicated to each critical area type below. We recommend simplifying the chapter by removing redundant content to improve clarity and reduce potential confusion.</p>
20.25H.035 Critical area buffers and structure setbacks	<p>B. Critical Area Structure Setback</p> <p>1. Additional structure setbacks are required from the outer edge of the critical area buffer. A 2030-foot structure setback area must be established from the outer edge of the critical area buffer for wetlands, streams, Fish and Wildlife Habitat Conservation Areas, steep slope hazard areas, and landslide hazard areas.</p>	<p>We recommend maintaining a minimum setback of 30 feet for vegetation management related to defensible space and wildfire risk reduction. If less than 30 feet is proposed, modifications to a critical area or its buffer may be necessary to accommodate defensible space requirements, which is in direct conflict with this chapter. See Planning the Wildland-urban Interface for more details.</p> <p>Additionally, this section does not cover how far a setback must be for closed stream segments.</p>
20.25H.045 Development density/intensity	General comment	<p>This section discourages overutilization of land by limiting how much development credit is granted for constrained areas. If removed (as currently proposed in this draft), there may be pressure to grant full density on sites where a large portion is composed of critical areas. Without this section, there's a risk that applicants will seek to apply base zoning densities to entire parcel areas, including wetlands and buffers, which should be excluded or discounted due to their ecological constraints. Removing density allocation provisions from the CAO could open the door to overdevelopment in locations where critical areas severely limit actual buildable area. It also weakens the tools planners use to balance growth with ecological integrity.</p>
20.25H.050 Uses and development in the Critical Areas Overlay District	<p>2. Shorelines. Where the Critical Areas Overlay District and Shoreline Overlay District apply to the same site, the uses established by LUC 20.10.440 for the underlying land use district may be undertaken...</p>	<p>Typically, when multiple critical areas or overlay designations overlap, regulations specify that the more protective standard applies. We encourage the City to include a similar provision in this chapter, which could help reduce the need for overly specific language (such as the adjacent example).</p>

20.25H.050 Uses and development in the Critical Areas Overlay District	General comment	This section appears duplicative, as these standards are already specified in the sections dedicated to each critical area type below. It seems that this section functions to reference other sections, providing little use itself. We recommend simplifying the chapter by removing redundant content to improve clarity and reduce potential confusion.
20.25H.055 Uses and development allowed within critical areas – Performance standards	The uses and/or development described in subsection B of this section may be undertaken in a critical area or critical area buffer if all of the requirements of the referenced sections are met and the requirements of this chapter are met, including the use of the mitigation sequence and no net loss standards. A Critical Areas Land Use Permit shall be required unless otherwise noted.	It is important to state the intent to follow the provision of this chapter, including the mitigation sequence, as required by state law. No impacts to critical areas can be permitted unless the mitigation sequence is followed, which first starts with avoidance of impacts. See comments for 20.25H.005 and 20.25H.015 above.
20.25H.055 Uses and development allowed within critical areas – Performance standards	B(2) These uses do not require a Critical Areas Land Use Permit. The requirements of this part shall be applied through the review process applicable to the underlying use or activity.	We recommend incorporating this provision for habitat improvement projects within the table.
20.25H.055 Uses and development allowed within critical areas – Performance standards	B(3) In the event of a conflict between this section and the utilities code, the provisions that provide the greatest protection to critical areas and their buffers shall apply. the utilities code shall prevail.	Allowing the utilities code to take precedence over the Critical Areas Ordinance raises concerns regarding consistency with the Growth Management Act (RCW 36.70A), which requires local jurisdictions to designate and protect critical areas using Best Available Science and ensure no net loss of their ecological functions (WAC 365-196-830). Utility development can result in significant impacts to wetlands, streams, and other sensitive resources. Therefore, in the event of a conflict between code provisions, the standard that affords the highest level of protection to critical areas should prevail to maintain consistency with state law and to ensure long-term ecological integrity.
20.25H.055 Uses and development allowed within critical areas –	C. Performance Standards. 1(a) Technically Feasible. The determination of whether a use or development is “technically feasible” shall be made by the	WDFW recommends revising the definition of “technically feasible” to ensure that cost alone is not used to justify impacts to critical areas or buffers. The Growth Management Act requires that local governments protect critical areas

Performance standards	Director as part of the decision on the underlying permit after consideration of a report prepared by a qualified professional addressing the following factors: ...iv. Whether the cost of avoiding disturbance of the critical area or critical area buffer is substantially disproportionate as compared to the environmental impact of proposed disturbance, including any continued impacts on functions and values over time; and...	using Best Available Science and achieve no net loss of ecological function, regardless of development economics. It must be clearly stated throughout this chapter that critical areas are designated for long-term protection, not as flexible development space, and that their ecological functions cannot be incrementally diminished through site-by-site exceptions. The intent of the Growth Management Act is to preserve the integrity of these areas using Best Available Science, and any consideration of impact must be a last resort, only after all feasible avoidance measures, such as alternative site design or reduced development intensity, have been fully evaluated and applied.
20.25H.055 Uses and development allowed within critical areas – Performance standards	C(2)(a) New or expanded facilities and systems are allowed within the critical area or critical area buffer only where no technically feasible alternative with less impact on the critical area or critical area buffer exists. A determination of technically feasible alternatives will consider: iv. Whether the cost of avoiding disturbance is substantially disproportionate as compared to the environmental impact of proposed disturbance; and	See comment above.
20.25H.055 Uses and development allowed within critical areas – Performance standards	C(3)(e) ...Culvert expansions shall be considered new culverts and be required to be designed in accordance with “Water Crossing Design Guidelines” now or as hereafter amended when the expansion is associated with a project increasing vehicular capacity and (i) there are fish present downstream...	Fish passage and water crossing design standards must be met for culvert or in-water structural modification according to state law (WAC 220-660-190).
20.25H.055 Uses and development allowed within critical areas – Performance standards	C(3)(i)(i) Noxious Species. The removal of the following vegetation with hand labor and hand-operated equipment from a critical area buffer...	Some meaningful enhancement efforts, such as removing extensive invasive root systems, mowing, or planting trees at scale, are not practical using only hand labor or light tools. As currently written, this provision may unintentionally discourage restoration efforts by restricting the use of practical and commonly accepted tools.

20.25H.055 Uses and development allowed within critical areas – Performance standards	C(3)(m)(iii)(D)(4) Whether the cost of avoiding disturbance of the critical area or critical area buffer is substantially disproportionate as compared to the environmental impact of proposed disturbance, including any continued impacts on functions and values over time; and...	See comments above.
20.25H.065 Nonconforming Situations	<p>A. Existing Structures</p> <p>4. Expansion or modification of a nonconforming structure may be allowed only under the following conditions:</p> <p>a. Expansion is allowed outside of required critical area buffer.</p> <p>b. Existing structure may expand vertically to add upper stories.</p> <p>c. The expansion occurs within an existing improved area of the site (e.g. parking lot, large development lawn, garden, patio, or other existing disturbed area) provided the expansion does not encroach further into the critical area buffer than the existing development;</p> <p>d. Any adverse impacts to the critical area or buffer are mitigated per LUC 20.25G.XXX.</p> <p>e. The Director determines that the proposed expansion will not result in significant additional impacts to critical area functions or values.</p>	<p>To meet no net loss standards within part ‘c’, expansions or new uses within a critical area or buffer should only occur in areas that lack ecological function, such as existing pavement or large development. Areas like lawns or minimally altered land still provide ecological value and should not be disturbed, especially if the proposed use is more intensive.</p> <p>Section ‘d’ may not be necessary, as no allowed alterations to existing nonconforming structures should result in any impacts to critical areas or their buffers.</p> <p>Section ‘e’ language is concerning because it allows the Director to approve expansions into critical areas based on a vague and undefined standard of "significant" impact. Without clear criteria or a requirement to use Best Available Science, this discretion could lead to inconsistent decisions and undermine the CAO’s no net loss standard. It also bypasses mitigation sequencing and opens the door to incremental degradation of ecological functions over time.</p>
IV. STREAMS 20.25H.075 Designation of critical area and buffers	<p>C. Designation of Stream Critical Area Buffers.</p> <p>a. General – Open Streams (Except West Tributary in the Kelsey Basin)</p> <p>i. All sites shall have the following critical area buffers, measured from the Channel Migration Zone (CMZ) if present. If no CMZ is</p>	<p>Excluding the West Tributary in the Kelsey Basin from the general protections afforded to open streams under the CAO is inconsistent with the purpose and intent of the Growth Management Act, which requires the protection of all critical areas, no matter the location. All open streams, regardless of location, contribute to essential ecological functions. Kelsey Creek is one of the</p>

	<p>present, buffers shall be measured from the Ordinary High-Water Mark (OHWM)</p>	<p>few urban streams that is specifically highlighted within the WRIA 8 Chinook Salmon Conservation Plan as critical for recovery (see map on page 3). Within the city's Greater Kelsey Creek Watershed Assessment, it is clear that regulations must strengthen protection standards.</p> <p>Additionally, local governments should identify and limit development within Channel Migration Zones (CMZs)(WAC 173-26-221). Identifying CMZs helps guide development away from high-risk areas and reduces flood hazards. CMZs are critical for maintaining the dynamic processes that support riparian ecosystems. Without addressing CMZs, the CAO may fail to fully protect the functional riparian areas that naturally shift over time. We encourage the town to incorporate this CMZ definition as well as delineate riparian management zones (RMZs) from the edge of the CMZ if present.</p> <p>For further information, please see the WA Department of Ecology's (DOE) informational webpage as well as WDFW's Riparian Ecosystems, Volume 2: Management Recommendations.</p>
<p>IV. STREAMS 20.25H.075 Designation of critical area and buffers</p>	<p>General comment – stream buffer table</p>	<p>The buffer standards outlined in this table do not incorporate WDFW's BAS. Stream buffers, or more accurately referred to as riparian management zones (RMZs), provide critical ecological functions including filtering pollutants, regulating stream temperature, stabilizing banks, and reducing flood risks. To meet WDFW's current best available science standards and management recommendations (released in 2020), we recommend the utilization of WDFW's Site Potential Tree Height at 200 years (SPTH₂₀₀) to measure RMZ widths (see WDFW's mapping tool and field delineation guidance).</p> <p>To stop pollutants from entering streams, RMZs must be 100 feet wide and fully vegetated at a minimum. This table does not reach these minimum standards. Meeting RMZ standards is especially critical in highly developed areas like Bellevue, where elevated levels of impervious surface contribute to increased stormwater runoff and water quality degradation. The importance of addressing water quality concerns is demonstrated by the listing of many water</p>

		<p>bodies within the city, including Kelsey Creek, within Ecology's 303(d) list, which outlines a trend of continued degraded biological integrity over time. Bellevue has identified key factors that limit the health of Kelsey Creek, including pollutant loading, stormwater runoff, loss of floodplain & riparian function, and barriers to fish passage, in the Greater Kelsey Creek Watershed Assessment Report.</p> <p>The GMA also requires jurisdictions to give "special consideration" to conservation or protection measures necessary to preserve or enhance anadromous fisheries (WAC 365-195-925) as well as incorporate regulations to address issues at the watershed scale (WAC 365-196-830(6)). This is especially relevant to Bellevue and echoes the commitments made by the city in the WRIA 8 Interlocal Agreement. Stream-related critical area regulations within Bellevue are instrumental in the recovery of federally listed Chinook salmon species. As outlined very clearly in the WRIA 8 Chinook Salmon Conservation Plan, Bellevue bears an elevated responsibility for Chinook recovery compared to neighboring jurisdictions, as it encompasses both Tier 1 and Tier 2 priority Chinook habitat areas.</p> <p>It is important to note that Bellevue's drainage report for the Kelsey Creek Basin shows that the impervious surface within the basin is higher (41%) than other stream systems in Bellevue and that the tree canopy adjacent to the stream (53.9%) is lower than other stream systems in Bellevue.</p>
IV. STREAMS 20.25H.075 Designation of critical area and buffers	General comments	<p>We encourage staff to review recent CAO updates from jurisdictions such as Woodinville and King County. For instance, King County is proposing urban stream regulations that include 180–200-foot buffers for Type S and F streams, and a minimum 100-foot buffer for Type N streams. Woodinville is similarly advancing RMZ widths aligned with WDFW's BAS. These examples illustrate how urban jurisdictions are proactively collaborating with WDFW to incorporate scientifically defensible standards,</p>

		strengthening their CAOs against potential appeals.
IV. STREAMS 20.25H.075 Designation of critical area and buffers	C. Designation of Stream Critical Area Buffers. 1(b) General – Closed Stream Segments. Regardless of type, closed stream segments shall have no critical area buffer and shall have the critical area structure setback established in LUC 20.25H.035.	LUC 20.25H.035 has setbacks crossed out and does not detail setback requirements for closed segments. It seems that setbacks from closed stream segments have been omitted from this chapter. We recommend streamlining this chapter by bringing all relevant information specific to the type of critical area to the section that details the regulations for that specific type of critical area. Additionally, due to age and environmental factors, these piped segments will eventually fail and need to be replaced in compliance with current fish passage standards, as required by state law (WAC 220-660-190). With no buffer for these stream segments, future restoration efforts and infrastructure maintenance will be difficult to achieve. Development placed too close to piped stream segments may perpetuate non-conforming structures and increase public safety hazards related to flooding and erosion as storm intensities increase. A wider buffer for piped segments would provide better stormwater management support, water quality protections, and provide enough space to allow flexibility to meet state requirements for fish passage and/or flow capacity of water crossing structures (e.g., culverts) when aging infrastructure needs to be updated.
IV. STREAMS 20.25H.075 Designation of critical area and buffers	C. Designation of Stream Critical Area Buffers. 1(c) West Tributary, Kelsey Basin – Open Streams. Regardless of type, open stream segments of the West Tributary shall have a stream critical area buffer of 50 feet	See comments above. Critical areas must be protected to meet no net loss standards, no matter their location.
IV. STREAMS 20.25H.075 Designation of critical area and buffers	3(a) Buffer Averaging. Buffer averaging may be allowed if all the following criteria are satisfied. Proposals to average the stream critical area buffer under this subsection shall require a Critical Areas Land Use Permit; provided, that a mitigation or restoration	We recommend deleting buffer averaging for stream buffers. To our knowledge, there is no scientific evidence supporting the idea that reducing a riparian buffer in one area while expanding it elsewhere achieves no net loss of ecological functions and values. WDFW's Riparian Ecosystems, Volume 1: Science Synthesis and Management Implications (2020) shows that

	plan is not required for buffer averaging.	riparian buffer widths are established based on the specific ecological functions they are intended to support, which are directly tied to the width , continuity, and quality of vegetation within the buffer.
20.25H.080 Performance standards.	A(5) The outer edge of the stream critical area buffer shall be planted with dense native vegetation or install and a split rail fence will be installed to limit pet or human use.	According to WDFW's Riparian Ecosystems, Volume 1, more than 85% of terrestrial wildlife species in Washington depend on riparian areas at some point in their life cycle, making these zones among the most biologically diverse and ecologically important in the state. Once degraded, their functions, such as water filtration, temperature regulation, and habitat connectivity, are difficult, and often impossible, to fully restore. The adjacent edits reflect the minimum necessary improvements to strengthen protections for these areas, particularly as ongoing intensive development continues to erode their integrity over time. Volumes 1 and 2 make it clear: protecting riparian areas is essential to meeting the state's legal and ecological obligations, including salmon recovery, no net loss of ecological function, and climate adaptation. Additionally, if the City is looking to advance urban tree canopy goals, riparian areas offer a high-impact, strategic opportunity. Prioritizing these zones can serve the dual purpose of restoring ecological function while making measurable progress toward canopy targets in areas where those trees may deliver the greatest environmental benefit.
20.25H.080 Performance standards.	B. Modification of Stream Channel. 1. When Allowed. A stream channel shall not be modified by relocating the open channel, or by closing the channel through pipes or culverts unless the modification is part of a restoration project that is not associated with mitigation for development, or if the project can demonstrate net ecological gain. Closing a stream channel shall be prohibited. the following uses allowed under LUC 20.25H.055:	We want to underline that the closure of a stream channel in a pipe shall not be allowed for any developmental reasoning within LUC 20.25H.055, such as expansion of public facilities. The adjacent edit clarifies that the relocation of an open stream channel shall be prohibited, except when conducted as part of a restoration project that is not associated with development mitigation, and in some very rare circumstances where relocation can result in net ecological gain. This approach is consistent with WDFW's permitting practices for Hydraulic Project Approvals (HPAs) under WAC 220-660.

20.25H.080 Performance standards.	D. Stream Daylighting Incentive. When a property owner voluntarily daylight a stream segment, the following incentives may be applied: 1. A reduction in the required stream buffer width, up to 25%, may be allowed where daylighting results in a net gain in ecological function, as demonstrated through a critical areas report and the following standards are met:	While the daylighting incentive in Section D is a step in the right direction, it is unlikely to result in meaningful ecological improvements as currently written. Because piped streams typically have little or no buffer requirements, applicants have little regulatory incentive to daylight streams. Doing so would likely increase, rather than reduce, their regulatory obligations. To truly support stream restoration and align with the goals of the GMA and BAS, WDFW recommends requiring daylighting for all development projects occurring on parcels containing piped streams, where technically feasible. This approach would not only restore ecological function but also help reconnect habitat corridors and improve long-term watershed health. Optional incentives could still be layered on, but a baseline requirement is needed to ensure consistent restoration of historically impacted stream systems. One potential additional incentive would be improving existing water crossings on-site to meet updated fish-passage guidance as part of the development requirements.
20.25H.085 Mitigation and monitoring – Additional provisions	B. Buffer Mitigation Ratio. Critical area buffer disturbed or impacted under this part shall be replaced at a ratio of one-to-one.	If impacts to critical areas are unavoidable, we strongly recommend mitigation planting plans be designed to go beyond a 1:1 replacement ratio. A 3:1 ratio often more accurately achieves no net loss by accounting for mitigation uncertainty.
20.25H.090 Critical areas report – Additional provisions.	A. Limitation on Modifications. A stream critical area buffer shall not be modified below the widths set forth in this section, measured from the top-of-bank:	This section was deleted in this draft and not replaced. There is currently no minimum limit within this chapter that details how small a stream buffer can be. As stated before, WDFW's BAS recommends no stream buffer reach below 100 feet (if fully vegetated) to account for pollution filtration. If not vegetated, this buffer must be expanded.
20.25H.090 Critical areas report – Additional provisions.	B. Additional Content – Closed Stream Segments. Any critical areas report proposing a modification to the structure setbacks required for closed stream segments shall be based on a consideration of the impact of the modification on the feasibility of reopening the closed stream segment in the future, when	If opening closed stream channels is not required for projects proposed on impacted parcels, we strongly recommend keeping the adjacent provision. The current draft has deleted this very important section.

	compared with the feasibility of reopening the closed stream segment without the proposed modification. Where the proposed modification significantly decreases the feasibility of a future reopening, such modification shall be denied, unless the proposal includes mitigation for the functions and values that could have been achieved by reopening the stream segment. (Ord. 5680, 6-26-06, § 3	
VIII. HABITAT ASSOCIATED WITH SPECIES OF LOCAL IMPORTANCE	20.25H.150 Designation of critical area.	As discussed above, habitat associated with species of local importance is only a single type of FWHCA. This section should be named “Fish and Wildlife Habitat Conservation Areas” and be combined with the stream provisions.
VIII. HABITAT ASSOCIATED WITH SPECIES OF LOCAL IMPORTANCE	General comment Wildlife Habitat Corridors	WAC 365-196-335 states, “Each county or city planning under the [growth management] act must identify open space corridors within and between urban growth areas. They must include lands useful for recreation, wildlife habitat, trails, and connection of critical areas as defined in RCW 36.70A.030.” We recommend designating ‘Wildlife Habitat Corridors’ as a type of FWHCA. King County has already designated a wildlife habitat network through areas of southern Bellevue (link to map). One specific area of note that would be practical to designate under this type of critical area would be the Kelsey Creek Basin, which would align with the policies in the Wilburton/N.E. 8th Street Plan, such as “S-WI-9. Protect and enhance streams, drainage ways, and wetlands in the Kelsey Creek Basin,” and “S-WI-10. Prevent development from intruding into the floodplain of Kelsey Creek.” Establishing a 200-foot buffer (or RMZ) on Kelsey Creek would also help achieve this goal. If a method for identifying wildlife habitat corridors has not yet been established, the resources below may be helpful: - Page 72-82 of WDFW’s Washington Habitat Connectivity Action Plan and mapping resource . - Reach out to King County staff to investigate how their iMap determined the bounds of their ‘Wildlife Habitat Networks.’

		- See the Bellingham wildlife corridor analysis as an example methodology for mapping these corridors at the local level.
20.25H.160 Performance standards.	If habitat associated with species of local importance will be impacted by a proposal, the proposal shall implement the wildlife management plan developed by the Department of Fish and Wildlife for such species. Where the habitat does not include any other critical area or critical area buffer, compliance with the wildlife management plan shall constitute compliance with this part.	This is more accurately covered in 20.25H.165 Critical areas report – Additional provisions, as WDFW does not create wildlife management plans for specific developments. Instead, and as outlined in 20.25H.165, “...shall contain an assessment of habitats including the following site- and proposal-related information at a minimum: ...3. A discussion of any federal, state, or local special management recommendations, including Washington Department of Fish and Wildlife habitat management recommendations, that have been developed for species or habitats located on or adjacent to the site;.”
20.25H.170 Process to identify additional species of local importance.	General comment	WAC 365-190-130 specifies that, “Counties and cities should identify, classify and designate locally important habitats and species.” We recommend that this chapter emphasize both habitats and species throughout.
20.25H.200 Reasonable use exception	A. Reasonable Use Standards. An applicant who is unable to comply with the specific standards of this chapter without forfeiting all economically viable use of the property may seek approval of a "reasonable use" exception for single-family residential development under this section.	<p>The current language in this section limits reasonable use exceptions to single-family residential development, yet later provisions (C. When Allowed) appear to allow for broader categories of development, including commercial uses.</p> <p>Reasonable use provisions are intended as a narrow pathway to allow for limited development of a single-family home when no other option exists. Expanding this provision beyond single-family residential use contradicts longstanding interpretations of “reasonable use” as outlined in case law and administrative guidance.</p> <p>For these reasons, we recommend that the City explicitly limit the reasonable use provision to single-family residential projects and clarify that commercial or multifamily development shall not be eligible for such exceptions within designated critical areas. At a minimum, this section should clarify that if any development can be accomplished at the minimum density allowed under current zoning, then more intensive development proposals do not qualify for a reasonable use exception.</p>

20.25H.200 Reasonable use exception	B(1)(a) The subject property is an existing legally created lot and the inability to derive reasonable use of the subject property is not the result of the applicant's actions or that of previous property owners' in segregating, adjusting one or more boundary lines, rezoning , dividing or creating the undevelopable condition on the site; and	It is common to see rezones approved for increased development intensity on parcels constrained by critical areas, followed by a reasonable use application aimed at achieving the newly permitted maximum density. We strongly recommend including 'rezoning' as an action the applicant cannot take before applying for a reasonable use permit.
20.25H.200 Reasonable use exception	B(1)(c) RUE will only be applicable to sites that do not have an area of 4000 square feet or more available for development outside the standard buffer.	This addition, found in Skagit County's RUE section, can be an effective way to ensure that the RUE pathway is reserved for truly constrained sites and may simplify the '2. Maximum Disturbance limits' section later in this chapter.
20.25H.200 Reasonable use exception	C. When Allowed.	Reasonable use exceptions are meant for one single-family home. We strongly advise Bellevue to delete this section that specifies reasonable use for other types of development. See comments above relating to part 'A' of this section.
20.25H.270 Critical areas report – Independent third- party review.	C. Selection of Qualified Professional.	WDFW's 'Guidelines for Determining Site Potential Tree Height from Field Measurements' specifies a list of sources to identify qualified individuals from for determining the SPTH value of a RMZ (stream buffer) in Appendix A.

Thank you for taking the time to consider our recommendations to better reflect the best available science for fish and wildlife habitats and ecosystems. We value the relationship we have with your jurisdiction and the opportunity to work collaboratively with you throughout this periodic update cycle. If you have any questions or need our technical assistance or resources at any time during this process, please don't hesitate to contact me or the Regional Land Use Lead, Morgan Krueger (morgan.krueger@dfw.wa.gov).

Sincerely,



Marcus Reaves, Regional Habitat Program Manager (Marcus.Reaves@dfw.wa.gov)

CC:

Kara Whittaker, Land Use Conservation and Policy Section Manager (Kara.Whittaker@dfw.wa.gov)
Marian Berejikian, Environmental Planner (Marian.Berejikian@dfw.wa.gov)
Stewart Reinbold, Assistant Regional Habitat Program Manager (Stewart.Reinbold@dfw.wa.gov)
Jesse Dykstra, Habitat Biologist (Jesse.Dykstra@dfw.wa.gov)
R4 Southern District Planning Inbox (R4SPlanning@dfw.wa.gov)
Jeff Aken, WA Department of Commerce (Jeff.Aken@commerce.wa.gov)

Nesse, Katherine

From: April Daniel <aprildaniel@yahoo.com>
Sent: Saturday, September 6, 2025 4:13 PM
To: Council
Cc: PlanningCommission
Subject: Newport NAP

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from aprildaniel@yahoo.com. [Learn why this is important](#)

[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.

I live in Newport Hills, and am aware that there are plans to turn our neighborhood shopping district into a large residential structure which does not fit into the character of our neighborhood. This needs further discussion within the Planning Commision and the community at large.

Unfortunately, it appears that the City Council did not follow the Planning Commission's request to delay a vote on the draft until they are able further to assess the verbiage changes and policy discussions.

Please return the Newport Neighborhood Action Plan to the Planning Commission for additional discussion.

Thank you for your consideration.

April Daniel
12021 SE 60th St, Unit D
Bellevue, WA 98006

Nesse, Katherine

From: Ruth Lipscomb <ruthlipscomb@comcast.net>
Sent: Sunday, September 7, 2025 9:38 PM
To: Kennedy, Mariah; Nilchian, Arshia; Khanloo, Negin; Lu, Jonny; Goepppele, Craighton; Villaveces, Andres; Ferris, Carolyn
Cc: Menard, Mathieu; PlanningCommission
Subject: please support plentiful housing in HOMA

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from ruthlipscomb@comcast.net. [Learn why this is important](#)

[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.

Hello Planning Commissioners and city staff,

I'm writing to you in enthusiastic support of a bold HOMA plan to allow housing in Bellevue's mixed-use areas.

I've lived in the Newport Shores neighborhood of Bellevue for over 30 years and during that time, two related things have happened near me: housing has gotten wildly expensive, and our neighborhood shopping area in Newport Hills has become a ghost town. I used to shop there often in the 1990's but not anymore. These aren't localized problems, of course – housing is wildly expensive across our region and the city has many underutilized strip malls. I understand why those smaller centers are derelict and sad: the surrounding density no longer provides enough customers for most businesses. And we all know why housing is so expensive: there's just not enough of it at the right price close to jobs.

You can help solve both problems (promoting housing and reinvigorating neighborhood centers) by adopting a forward-looking HOMA plan. Allowing plentiful housing can make it feasible for site owners to re-imagine and re-invent their properties into neighborhood treasures. A bustling, vibrant, and walkable shopping and living center in Newport Hills with community-focused amenities will truly be an asset for all of us. My daughter recently moved close to Kelsey Creek Center and it would be wonderful if there were more housing options added to that area, too.

Please adopt a bold HOMA plan that includes both market rate and affordable housing. For the Newport Hills Shopping Center, having 3-5 stories of housing makes perfect sense so that there's room to have both abundant open space and a town center feel. It's also very important to me that you don't impose requirements that make it infeasible to develop this and other similar properties. We all know that no one develops land if they'll lose money, so a generous HOMA plan can create a win-win-win-win for the city, a developer, future new neighbors who will live there, and the wider neighborhood. Please do everything you can to make sure projects can be built soon and built well. By building well, I mean projects that can attract a variety of businesses, that are accessible by foot from the surrounding areas (including from Eastrail!), and that can be community gathering spaces for families, friends, and public events.

If you wimp out on HOMA, my neighborhood may be left with the current ghost town forever. I don't think I'll be around in another 30 years to see what happens, so please make the most of the opportunity you have in front of you now.

Thank you.

Sincerely,
Ruth Lipscomb
101 Cascade Key, Bellevue 98006

Nesse, Katherine

From: Linda Hoffner <linda@lhoffner.com>
Sent: Monday, September 8, 2025 8:59 AM
To: PlanningCommission
Cc: Kennedy, Mariah; Nilchian, Arshia; Khanloo, Negin; Lu, Jonny; Goeppeler, Craighton; Villaveces, Andres; Ferris, Carolyn; Menard, Mathieu
Subject: Newport Hills - HOMA

You don't often get email from linda@lhoffner.com. [Learn why this is important](#)

[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.

Good morning,

I am writing to share my thoughts about the upcoming discussion you will be having about HOMA.

I live in Newport Hills with my husband and middle school aged son. In my day job, I am the General Manager of the Spring District, located in the Bel-Red area of Bellevue.

I am a huge supporter of more housing and more affordable housing – for all of our young working families, teachers, firefighters, nurses and all of those folks we heard from during the middle housing discussion who work in Bellevue but cannot afford to live here. My older son is graduating college this spring and I fear he won't be able to live near us as he enters the workforce. He would love to be able to return to his home neighborhood without having to move home.

We desperately need more housing, more types of housing, and housing that is affordable to every day families. I am very supportive of adding housing to the Newport Hills Shopping Center as part of HOMA.

I am also supportive of the work you did in the comprehensive plan that allows for 3-5 stories in the Newport Hills Shopping Center.

Additionally, I have had the pleasure of meeting with David Hsaio, the representative for the two families who own the Newport Hills Shopping Center. I am excited about their vision for a revitalized center – including open space, more trees, restaurants, coffee shops, and a town center that will be walkable, accessible and a place for our community to gather. In my work at the Spring District, we are very intentional about our efforts to build community and provide a place for our community to come together and celebrate all that is great about Bellevue. I am excited to have that in my own neighborhood shopping center and be a part of planning similar events for my family and neighbors.

I strongly encourage you to move forward with HOMA as it relates to both housing in Bellevue and in the Newport Hills Shopping Center.

Linda Hoffner

Nesse, Katherine

From: Jack McCullough <jack@mhseattle.com>
Sent: Monday, September 8, 2025 10:48 AM
To: PlanningCommission
Cc: King, Emil A.
Subject: Factoria Zoning Public Comment
Attachments: Letter to Planning Comm'n re Factoria Zoning (9-8-25).pdf

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from jack@mhseattle.com. [Learn why this is important](#)

[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.

Please see attached a comment letter for Wednesday night's public hearing on HOMA.

Thanks.

Jack

John C. McCullough
Attorney at Law

McCULLOUGH HILL PLLC

701 Fifth Avenue, Suite 6600
Seattle, Washington 98104
Tel: 206.812.3388
Cell: 206-612-9101
Fax: 206.812.3389
www.mhseattle.com

CONFIDENTIALITY NOTICE: This email message may be protected by the attorney/client privilege, work product doctrine or other confidentiality protection. If you believe that it has been sent to you in error, do not read it. Please reply to the sender that you have received the message in error, then delete it. Thank you.

McCULLOUGH HILL PLLC

September 8, 2025

VIA ELECTRONIC MAIL

Negin Khanloo, Chair
Planning Commission
City of Bellevue
450 110th Avenue NE
Bellevue, Washington 98004

Re: Factoria Zoning

Dear Chair Khanloo and Commission Members:

We are writing on behalf of Sterling Realty Organization (“SRO”), which owns several parcels in the Factoria neighborhood, just north of the Mall between SE 38th Street and I-90. The parcels are identified as follows (the “Properties”) and depicted on the attached exhibit:

TPN 0924059038
TPN 0924059260
TPN 0924059257
TPN 0924059259
TPN 0924059055
TPN 0924059127
TPN 0924059142
TPN 0924059052
TPN 0924059227

SRO has had the opportunity to review the most recent agenda packet regarding the proposed HOMA zoning and offers the following comments:

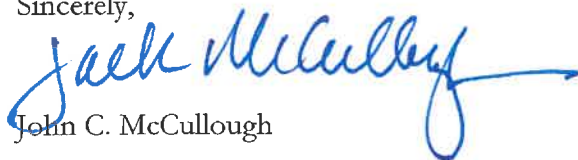
1. NMU Zoning. The agenda packet does not include the final proposed zoning map for the Factoria neighborhood. Previous proposals from the City have shown the Properties zoned NMU. SRO would like to confirm that NMU zoning will apply to all of the Properties.
2. Height. The height map included in the agenda packet is at a scale that makes it difficult to evaluate. It appears that most of the Properties are designated for 110-foot heights, but it

appears that some of the Properties, particularly those closest to I-90, may have been inadvertently omitted. SRO would like to confirm that all of the Properties will be designated for 110 feet of maximum height.

3. Maximum Impervious Surface. The 65% impervious surface limitation is a relic of suburban zoning from a generation or more ago and is far too low in a dense urban environment. Rather than adopting an arbitrary limit on impervious surface coverage, the code should prescribe those elements to be included at the ground plane that are not impervious, such as landscaping, open space, green stormwater treatment and the like. The division between pervious and impervious surfaces at the ground level should focus on the function of those surfaces. The proposed 65% maximum has no relation to such functions and serves merely to place more than one-third of each site off-limits to new housing development. This runs contrary to the goals of HOMA.

Thank you for the opportunity to provide these comments.

Sincerely,



John C. McCullough

cc: Rebecca Horner
Emil King



Nesse, Katherine

From: Cheryl Nygaard <cheryl@windermere.com>
Sent: Monday, September 8, 2025 2:35 PM
To: PlanningCommission
Cc: Kennedy, Mariah; Nilchian, Arshia; Khanloo, Negin; Lu, Jonny; Goepppele, Craighton; Villaveces, Andres; Ferris, Carolyn
Subject: Please Help Us Get Un-Stuck

Follow Up Flag: Follow up
Flag Status: Flagged

Some people who received this message don't often get email from cheryl@windermere.com. [Learn why this is important](#)

[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.

Dear Planning Commission,

As a 24 year resident of the city of Bellevue and especially Newport Hills. I am writing to request that you support the HOMA as it relates to the redefined development standards for the NB zone as presented by staff. I know there is more work to do to get all the details hammered out – especially since the NB zone applies to several areas in Bellevue – not just Newport Hills. I think that for the Newport Hills Shopping Center, the low rise mixed use 1 designation, which allows for 3-5 stories, **is very appropriate**.

About 15 years ago, when I was the President of the Newport Hills Community Club, we rallied over 100 neighbors to support the low rise mixed use development. At that time, the city of Bellevue asked the ownership group of the shopping center to conduct a feasibility study of what the shopping center could and should be for the future. The ownership group agreed, and, when finished, the study concluded that a mixed-use development with housing, neighborhood retail and restaurants was appropriate for the site.

My husband and I have raised our family here and have deep emotional ties here in Newport Hills. This is our home. We are very excited for all that is to come for the Newport Hills Shopping Center. I am particularly excited about the ownership group's vision for different types of housing, open space, gathering places, retail, and restaurants. This will create a truly walkable community gathering place that we can all enjoy.

I sincerely urge you to support HOMA so we can finally move forward (Help Us Get UN-STUCK) on redevelopment of our neighborhood shopping center.

Thank you.

Cheryl Nygaard,

Newport Hills Resident from November 27th 2001 to present.

Nesse, Katherine

From: Aden Erskine <adenmerskine@gmail.com>
Sent: Monday, September 8, 2025 6:22 PM
To: Kennedy, Mariah
Subject: HOMA

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from adenmerskine@gmail.com. [Learn why this is important](#)

[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.

Hello,

My name is Aden Erskine. I am a 20 year old college student who frequently visits Bellevue and goes to school in Bellevue. I wanted to write about why increasing housing, and housing density, near neighborhood centers is important to me.

Bellevue has certain housing goals to combat the rapidly rising cost of living in this region, as well as address the growing homelessness crisis facing the broader Seattle area. To put it quite simply, HOMA is the best possible way for Bellevue to reach these goals. There are very limited options that the city can implement to meet its goals that do not involve HOMA. This is not a question regarding if HOMA may upset certain homeowners within the city more than other options, it is a question about whether Bellevue as a city cares more about the comfort of existing home owners and NIMBY groups more so than achieving its housing goals. The fact is that the results of decades of research in urban policy are in, and the conclusion is that increased housing, increased housing density, and the relaxation of zoning laws is better in the long term and will address a number of issues and crises that the city is currently facing. There is nothing to discuss here, this is the way.

I would like to encourage the planning commission to fully commit to HOMA, and keep the plan as ambitious as it is currently written, if not make it even more ambitious. HOMA needs to be bold so that the plan is actually able to reach its goals of providing more affordable housing, and more housing in general, to Bellevue in a meaningful way. I would also like to request housing requirements not be overly onerous to the point that it impacts housing developers and their ability to actually deliver and build this housing. Finally, in order to ensure this increased density does not degrade the quality of life in the area, and even improves it, I would like to encourage the planning commission to prioritize walkability, open space, and community gathering spaces. These are things all residents want in these regions as well.

I hope you sincerely listen to my feedback, and I hope you do not water down HOMA to the point where it is ineffective at its goals.

Thank you for your time.

Nesse, Katherine

From: Danielle Duvall <danielle@naiopwa.org>
Sent: Tuesday, September 9, 2025 10:52 AM
To: PlanningCommission
Cc: Holly Golden; Jessica Roe; Carl Shorett; Carter Nelson
Subject: HOMA Amendments - Downtown LUCA Comments
Attachments: PLUSH Dwntn HOMA Letter_09.09.2025.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from danielle@naiopwa.org. [Learn why this is important](#)

[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.

Dear Planning Commissioners,

NAIOP Washington State, the Commercial Real Estate Development Association, represents over 400 member companies across the Puget Sound region involved in the development, construction, and ownership of real property. Many of our members have a vested interest in the outcomes of the proposed Housing Opportunities for Mixed-Use Areas amendments to the Downtown LUCA in Bellevue. The attached comment letter from the Bellevue Chamber of Commerce's PLUSH committee aligns with our organization's perspective on the draft amendments. As such, we strongly recommend that the Planning Commission adopt the PLUSH Committee's suggested changes.

Thank you for your time and consideration. If you have any questions, please do not hesitate to follow up.

Danielle Duvall | Executive Director
NAIOP Washington State
Commercial Real Estate Development Association
PO Box 40
Redmond, WA 98073
c. 425-208-6526



PLUSH COMMITTEE

Permitting, Land Use, Sustainability, & Housing

bellevuechamber.org

425-454-2464

staff@bellevuechamber.org



September 9, 2025

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

**Re: Planning Commission Study Session Agenda Item 8(a)
Housing Opportunities in Mixed-Use Areas (HOMA) LUCA
Comments on Proposed Modifications to the Downtown Land Use Code**

Dear Chair Goepple and Commissioners,

The Bellevue Chamber PLUSH Committee, including Downtown Bellevue property owners and developers, is writing to share concerns regarding the proposed HOMA amendments to the Downtown Land Use Code (Chapter 20.25A). As currently drafted, these amendments represent a set of new additional requirements without new corresponding benefits—policies that are inequitable, legally questionable, and likely to slow the very development Bellevue's Comprehensive Plan depends on.

Instead, we urge you to embrace win-win solutions that make it easier to create new housing and commercial space while significantly increasing contributions to the City's affordable housing fund. This can be achieved by expanding the Additional Development Flexibility program and ensuring that incentives, not penalties, guide Downtown's growth.

1. Make the Affordable Housing Amenity Point Requirement Voluntary

Requiring developers to purchase amenity points without offering a reciprocal benefit amounts to a mandatory tax on housing. This approach discourages investment and exposes the City to legal challenges. A more effective solution is to make affordable housing amenity points voluntary by making a simple modification to LUC 20.25A.070.D.2.b.1 (shown below). This revision maintains the opportunity to earn amenity points through either affordable housing contributions or payment of the \$13 fee but frames it as a positive incentive rather than a punitive mandate. Coupled with adjustments to reduce other public benefit obligations, many developers would choose to pay the fee, producing greater contributions to the housing fund while enabling more projects to move forward.

Up to 50
i. ~~It is required that the first 25 percent of a project's amenity points shall be~~ ^{may}
earned from the provision of affordable housing. In-lieu fees may be utilized
to meet this requirement.

2. Modernize the Downtown Code to Reduce Costs and Delays

The Wilburton LUCA update included several pragmatic provisions that made development more feasible—yet these same changes have not been applied Downtown. Reasonable updates such as eliminating the Build-To Line, adopting Wilburton’s definition of Active Use, removing trigger height requirements, and allowing unlimited floorplates for midrise buildings would reduce costs and uncertainty for builders while aligning with the Comprehensive Plan’s vision for growth. These overdue improvements should be incorporated into HOMA to ensure Downtown remains a place where the City’s housing and job targets can be achieved. Upon request, we are prepared to provide a detailed list of proposed fixes.

3. Expand Additional Development Flexibility (ADF) and Allow Fee-In-Lieu

The current ADF program allows slightly larger buildings in exchange for 0.1 FAR of affordable housing. HOMA’s proposed expansion, however, would make ADF virtually unusable by requiring five times that amount (0.5 FAR) before any ADF benefits can be used. Rather than producing more affordable housing, this structure will discourage participation because the costs will outweigh the benefits.

We recommend expanding ADF in a way that generates significantly greater contributions to the affordable housing fund:

- In addition to the benefits proposed in HOMA, allow height increases of up to 60’ in non-overlay areas and 30’ in overlay areas.
- In exchange for the additional area, rather than requiring a flat 0.5 FAR to use ADF, require on-site affordable housing at the 4:1 bonus ratio or payment of the \$13/sf fee-in-lieu.

These modest adjustments to height limits are consistent with Downtown’s established scale and design framework. For example, in the MU zone the current height limits are 230’ for nonresidential and 288’ for residential. Allowing 60’ more height for the nonresidential building would make it roughly the same height as the residential building (290’ vs. 288’) and would enable 100,000 additional floor area to be built, generating \$1.3 million for the affordable housing fund. Across multiple projects, this approach could generate tens of millions of dollars for affordable housing—without burdening development with counterproductive mandatory requirements.

Conclusion

If Bellevue is to meet its ambitious housing and job growth goals, we must make it easier—not harder—to build in the City. As currently drafted, HOMA’s Downtown amendments would have the opposite effect. By adopting the recommendations outlined above, you can foster more housing production and unlock substantial new resources for affordable housing in a way that is fair, voluntary, and incentive-based.

We respectfully urge you to direct staff to collaborate with us on these adjustments and return with a revised proposal for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Jodie Alberts". The script is fluid and cursive, with the first name "Jodie" written in a larger, more prominent style than the last name "Alberts".

Jodie Alberts
Vice President, Government Affairs

A handwritten signature in black ink, appearing to read "Jessica". The script is fluid and cursive, with the first name "Jessica" written in a larger, more prominent style than the last name "Clawson".

Jessica Clawson
PLUSH Committee Chair



Nesse, Katherine

From: Jodie Alberts <jodie@bellevuechamber.org>
Sent: Tuesday, September 9, 2025 10:57 AM
To: Villaveces, Andres; Ferris, Carolyn; Goepppele, Craighton; Khanloo, Negin; Lu, Jonny; Kennedy, Mariah; Nilchian, Arshia; PlanningCommission
Cc: Joe Fain; Jessica Clawson
Subject: PLUSH HOMA Comment Letters
Attachments: PLUSH Dwntrn HOMA Letter_09.09.2025.pdf; PLUSH General HOMA Letter_09.09.2025.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.

Chair Khanloo and Planning Commissioners,

On behalf of PLUSH, please find attached two comment letters regarding the Housing Opportunities in Mixed-Use Areas (HOMA) LUCA. One letter addresses HOMA's citywide application, and the other focuses specifically on Downtown Bellevue.

We view this code amendment as an important opportunity to address needed fixes in the Land Use Code and to increase the flexibility required to deliver more housing across the city. We look forward to engaging with you further as you deliberate and refine this legislation.

Thank you,
Jodie

Jodie Alberts | Vice President of Government Affairs

Bellevue Chamber of Commerce

M: 901.834.4261 | O: 425.213.1206 | E: jodie@bellevuechamber.org

330 112th Ave. NE, Suite 100, Bellevue, WA 98004



PLUSH COMMITTEE

Permitting, Land Use, Sustainability, & Housing

bellevuechamber.org

425-454-2464

staff@bellevuechamber.org



September 9, 2025

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

**Re: Planning Commission Study Session Agenda Item 8(a)
Housing Opportunities in Mixed-Use Areas (HOMA) LUCA
Comments on Proposed Modifications to the Downtown Land Use Code**

Dear Chair Khanloo and Commissioners,

The Bellevue Chamber PLUSH Committee, including Downtown Bellevue property owners and developers, is writing to share concerns regarding the proposed HOMA amendments to the Downtown Land Use Code (Chapter 20.25A). As currently drafted, these amendments represent a set of new additional requirements without new corresponding benefits—policies that are inequitable, legally questionable, and likely to slow the very development Bellevue's Comprehensive Plan depends on.

Instead, we urge you to embrace win-win solutions that make it easier to create new housing and commercial space while significantly increasing contributions to the City's affordable housing fund. This can be achieved by expanding the Additional Development Flexibility program and ensuring that incentives, not penalties, guide Downtown's growth.

1. Make the Affordable Housing Amenity Point Requirement Voluntary

Requiring developers to purchase amenity points without offering a reciprocal benefit amounts to a mandatory tax on housing. This approach discourages investment and exposes the City to legal challenges. A more effective solution is to make affordable housing amenity points voluntary by making a simple modification to LUC 20.25A.070.D.2.b.1 (shown below). This revision maintains the opportunity to earn amenity points through either affordable housing contributions or payment of the \$13 fee but frames it as a positive incentive rather than a punitive mandate. Coupled with adjustments to reduce other public benefit obligations, many developers would choose to pay the fee, producing greater contributions to the housing fund while enabling more projects to move forward.

~~i. It is required that the first 25 percent of a project's amenity points shall be earned from the provision of affordable housing. In-lieu fees may be utilized to meet this requirement.~~

Up to 50 may

2. Modernize the Downtown Code to Reduce Costs and Delays

The Wilburton LUCA update included several pragmatic provisions that made development more feasible—yet these same changes have not been applied Downtown. Reasonable updates such as eliminating the Build-To Line, adopting Wilburton’s definition of Active Use, removing trigger height requirements, and allowing unlimited floorplates for midrise buildings would reduce costs and uncertainty for builders while aligning with the Comprehensive Plan’s vision for growth. These overdue improvements should be incorporated into HOMA to ensure Downtown remains a place where the City’s housing and job targets can be achieved. Upon request, we are prepared to provide a detailed list of proposed fixes.

3. Expand Additional Development Flexibility (ADF) and Allow Fee-In-Lieu

The current ADF program allows slightly larger buildings in exchange for 0.1 FAR of affordable housing. HOMA’s proposed expansion, however, would make ADF virtually unusable by requiring five times that amount (0.5 FAR) before any ADF benefits can be used. Rather than producing more affordable housing, this structure will discourage participation because the costs will outweigh the benefits.

We recommend expanding ADF in a way that generates significantly greater contributions to the affordable housing fund:

- In addition to the benefits proposed in HOMA, allow height increases of up to 60’ in non-overlay areas and 30’ in overlay areas.
- In exchange for the additional area, rather than requiring a flat 0.5 FAR to use ADF, require on-site affordable housing at the 4:1 bonus ratio or payment of the \$13/sf fee-in-lieu.

These modest adjustments to height limits are consistent with Downtown’s established scale and design framework. For example, in the MU zone the current height limits are 230’ for nonresidential and 288’ for residential. Allowing 60’ more height for the nonresidential building would make it roughly the same height as the residential building (290’ vs. 288’) and would enable 100,000 additional floor area to be built, generating \$1.3 million for the affordable housing fund. Across multiple projects, this approach could generate tens of millions of dollars for affordable housing—without burdening development with counterproductive mandatory requirements.

Conclusion

If Bellevue is to meet its ambitious housing and job growth goals, we must make it easier—not harder—to build in the City. As currently drafted, HOMA’s Downtown amendments would have the opposite effect. By adopting the recommendations outlined above, you can foster more housing production and unlock substantial new resources for affordable housing in a way that is fair, voluntary, and incentive-based.

We respectfully urge you to direct staff to collaborate with us on these adjustments and return with a revised proposal for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Jodie Alberts". The script is fluid and cursive, with the first name "Jodie" written in a larger, more prominent style than the last name "Alberts".

Jodie Alberts
Vice President, Government Affairs

A handwritten signature in black ink, appearing to read "Jessica". The script is fluid and cursive, with the first name "Jessica" written in a larger, more prominent style than the last name "Clawson".

Jessica Clawson
PLUSH Committee Chair



PLUSH COMMITTEE

Permitting, Land Use, Sustainability, & Housing

bellevuechamber.org

425-454-2464

staff@bellevuechamber.org



September 9, 2025

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

Re: General Comments on Housing Opportunities in Mixed-Use Areas (HOMA) LUCA – Citywide Application

Dear Chair Khanloo and Commissioners,

We recognize the City's intent with the Housing Opportunities in Mixed-Use Areas (HOMA) Land Use Code Amendment to expand housing opportunities throughout Bellevue. While we support the goal of creating more homes and eliminating outdated suburban standards, we are concerned that as currently drafted, the legislation risks falling short of its objectives and may inadvertently constrain, rather than encourage, housing production.

As you deliberate on this legislation, we urge you to keep the following considerations in mind:

1. Avoid an Affordable Housing Mandate Without Significant Density Gains

The scale of density increases in HOMA differs substantially from the Wilburton rezoning, where affordability requirements were paired with transformative density allowances. In the HOMA context, imposing affordability mandates risks stalling out housing production. Because HOMA applies across varied pockets of the City, appropriate calibration is not practical, and the legal rationale for mandates is weaker.

2. Align HOMA with the Multifamily Tax Exemption (MFTE) Program

To support affordability, Bellevue should adopt companion MFTE legislation allowing overlap between units provided under HOMA and MFTE, without layering lower AMI thresholds. This approach would create a workable, incentive-based pathway for delivering affordable homes.

3. Provide Flexibility for Mixed-Scale Housing

If affordability requirements remain, the Code should allow projects containing both apartments and townhomes to consolidate affordability obligations in the apartment building. This flexibility reflects the lower-density context of HOMA sites while encouraging diverse housing types.

4. Address Impervious Surface Limits

In many HOMA zones, the 60% impervious surface cap will become a binding constraint, particularly on already paved sites. The legislation should preserve the alternative impervious surface framework and revisit these limits to ensure they do not block housing feasibility.

5. Allow Flexible Departures

Dimensional standards should include clear offramps or departures to address site-specific challenges. Greater flexibility in design standards will yield more housing and better urban form.

6. Update Parking Standards Consistent with State Law

Senate Bill 5184 now restricts local parking mandates. Bellevue should update its requirements within HOMA, rather than delaying to a separate process. Reducing unnecessary parking is a straightforward way to enable more housing production, lower costs, and advance climate goals.

With thoughtful adjustments, HOMA can become a more effective tool to expand housing opportunities in Bellevue. We encourage you to ensure this legislation truly supports housing growth, rather than layering on requirements that could hinder it.

Thank you for your leadership and for considering these recommendations.

Sincerely,



Jodie Alberts
Vice President, Government Affairs



Jessica Clawson
PLUSH Committee Chair

Nesse, Katherine

From: Pavel Samsonov <pashkasams@gmail.com>
Sent: Monday, September 8, 2025 7:48 PM
To: PlanningCommission
Subject: Support for option A in HOMA

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from pashkasams@gmail.com. [Learn why this is important](#)

[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.

To the planning commission,
As a homeowner at Eastgate I am strongly in favor of allowing the Safeway plaza to be developed into a 10 floor building.

I am also in favor of mandatory affordable housing. I do not think an incentive based approach of allowing taller buildings is good. It reduces total housing build on the lot when Bellevue is in desperate need of more housing as a whole. We want to maximize housing on each lot as once a 7 floor building is built, it is unlikely to be rebuilt into a 10 floor building for quite some time. Please consider mandatory affordable housing as an approach to increase access to Bellevue workers that are very quickly being priced out of living here.

Thank you,
Pavel Samsonov

Nesse, Katherine

From: Stacia Y <anastasiapravda@gmail.com>
Sent: Monday, September 8, 2025 7:52 PM
To: PlanningCommission
Subject: Urge Planning Commissioners to Adopt HOMA Option A Mandatory Affordable Housing

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from anastasiapravda@gmail.com. [Learn why this is important](#)

[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.

Dear Commissioners,

As a resident of Eastgate and a frequent visitor to Eastgate Plaza Safeway, CVS, restaurants and banks, I am writing in strong support of Option A Mandatory Affordable Housing approach in the Housing Opportunities in Mixed-Use Areas (HOMA) Land Use Code Amendment. I'm excited to see our neighborhood begin to evolve into a more vibrant, walkable, and inclusive place to live.

Why I Support Option A:

Real Affordability, Not Just Empty Promises

Voluntary incentives haven't delivered enough affordable homes. Option A ensures that every new development contributes to affordable housing—something our city urgently needs for families, workers, and seniors.

More Community Spaces & Pedestrian-Friendly Design

As someone who frequently walks to Eastgate Plaza, I'm excited to see HOMA encourage ground-floor uses that create energy and bring people together—like local shops, gathering spaces, and community-focused services. This kind of development brings life to the neighborhood.

Equitable Development that Reflects Our Community

Equitable Growth means creating spaces and opportunities that are welcoming to people of color, immigrants, and lower-income residents, not just for rich retirees or trust fund kids. Mandatory affordable housing is a key part of that—ensuring that the Eastgate area grows in a way that's inclusive and just.

I urge the Commission to adopt Option A in HOMA for mandatory affordable housing and commit to a future where Eastgate and all of Bellevue can grow equitably—with housing, public spaces, and community infrastructure that serves everyone.

Thank you for your leadership and consideration on this important issue.

Sincerely,

Stacia
Eastgate Resident, Bellevue

Nesse, Katherine

From: Brady Nordstrom <brady@housingconsortium.org>
Sent: Tuesday, September 9, 2025 2:07 PM
To: PlanningCommission
Cc: Nesse, Katherine; Menard, Mathieu; Chris Buchanan; Allen Dauterman
Subject: EAHC & HDC Comment on HOMA (9/10/2025)
Attachments: EAHC_BellevueHOMA_9-10-2025.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.

Dear Bellevue Planning Commission,

My name is Brady Nordstrom and I am writing to share comment on the Housing Opportunities in Mixed-Use Areas ("HOMA") study session on September 10, 2025. This comment is sent on behalf of the **Eastside Affordable Housing Coalition ("EAHC")** and the **Housing Development Consortium ("HDC")**. The EAHC is a group of over 30 local organizations that build, operate, and advocate for affordable housing on the Eastside, including in Bellevue.

The Eastside Affordable Housing Coalition **recommends HOMA draft code "Option A" with a well-calibrated affordable housing requirement** as the best tool to achieve predictable affordable housing production in Bellevue's mixed-use areas. Please see the attached PDF as our full comment and don't hesitate to reach out if you have questions.

Best Regards,
Brady Nordstrom

--

Brady Nordstrom (*he/him*)

Associate Director of Government Relations and Policy

[Housing Development Consortium of Seattle-King County](#)

1326 5th Avenue, Suite 230 | Seattle, WA 98101

C: (253) 886-2099

HDC is currently observing a summer schedule with flexible Fridays.

HDC staff may be unavailable on Fridays through August 29, 2025.

We appreciate your patience as we prioritize the wellbeing of our staff.



HOUSING
DEVELOPMENT
consortium



September 10, 2025
Bellevue Planning Commission
450 110th Avenue NE
Bellevue, WA 98004

Subject: Comment on HOMA for 09/10/2025 Study Session

Dear Bellevue Planning Commission:

The Eastside Affordable Housing Coalition ("[EAHC](#)") is a group of over 30 local organizations that build, operate, and advocate for affordable housing on the Eastside, including in Bellevue. Together we support policies, programs, and funding that advance the production and preservation of affordable homes while increasing housing access and opportunity. **We are writing to share comment on the Housing Opportunities in Mixed-Use Areas ("HOMA") Land Use Code Amendment ("LUCA"), which is part of the City's "Next Right Work" initiative ([reference](#)). EAHC strongly supports staff efforts to expand housing opportunities in mixed-use areas, particularly the intentional inclusion of affordable housing as a foundational goal of this work.**

We emphasize the importance of the HOMA LUCA in aligning Bellevue's zoning and development regulations with the land use designations approved in the Bellevue 2044 Comprehensive Plan Future Land Use Map ("FLUM"). Even as we prepare to implement the Bellevue Comp Plan vision, it is important to remember that capacity alone is insufficient to meet the full range of Bellevue's Countywide Planning Policies housing targets. Of the total housing needed between 2019 and 2044 (35,000 units), almost 85% of those units are to be affordable at income levels at or below 80% AMI. **We therefore affirm the critical role of HOMA to expand affordable housing production across Bellevue's mixed-use centers.**

The EAHC appreciates the City's commitment to this work and offers the following comments on the HOMA LUCA:

- The Eastside Affordable Housing Coalition recommends "**Option A**" with a **well-calibrated affordable housing requirement as the best tool to achieve predictable affordable housing production in Bellevue's mixed-use areas.**
 - Based on our own pro forma analysis and the financial feasibility analysis provided by the City of Bellevue, **we believe that the affordable housing requirement proposed in the code is "well-calibrated."**
 - According to the analysis, most projects will not pencil today, which is not surprising because development typically goes in cycles of high and low activity based on the underlying economic conditions. When market conditions do improve (ex: interest rates being lowered, local rents increasing, etc.), projects will pencil with this requirement.
 - It is important to understand that affordable housing requirements ("inclusionary zoning") are a common policy across many cities, including Kirkland, Redmond, Seattle, Issaquah, and more. Bellevue's version of this program (10% set-aside at 80% AMI) is among the lightest touch versions of this policy in our entire region.
 - **An affordable housing requirement will always produce more affordable housing than an incentive program using the same percentages and income targeting.** Simply put, an incentive is not a reliable way to ensure public benefit as affordable housing through these upzones. This is because an incentive-only option does not apply to units built within the base FAR; only those units built above the base. Thus, an incentive applies the affordable housing percentage to a smaller portion of the building. Alternatively, an affordable housing requirement treats affordable housing as a fundamental community need vs. an "amenity" that is selected by a landowner based on comparable costs.
 - Since an affordable housing requirement can legally only be implemented at the time of an upzone, **it is critical to get this policy right now so that we can expand access to affordable housing near schools, parks, community services, and transportation hubs.**

Housing Development Consortium
of Seattle-King County

1326 5th Avenue, Suite 230, Seattle, WA 98101
206.682.9541 | www.housingconsortium.org

- **Implementing an affordable housing requirement will create consistency with the recently adopted Wilburton code.** Value is being provided through these upzones via height and/or FAR increases and other code-based cost reductions (ex: parking requirement reductions and other bonuses). A portion of this newly created value should be captured for public benefit.
- **We urge Commissioners to direct the consideration of deeper AMI levels for the Affordable Housing Requirement while maintaining the 10% set-aside percentage.** Based on an initial pro forma analysis conducted by our coalition partner, we believe that calibrations may be supported as low as 60% AMI at the 10% set aside level. This assumes that MFTE is extended to all mixed-use areas under consideration, which will supplement the windfall of value realized from increased development capacity.
 - We continue to support development cost-reductions as a way to support affordability in projects, especially when the City links market-rate development with affordable housing. Unlike Wilburton, however, **mixed-use areas throughout the city already have established infrastructure that relieves some cost burden on projects. Also, unlike Wilburton, Bellevue's mixed-use areas are often being upzoned to mid-rise levels, which are considered less costly and less risky than high-rise construction** that requires concrete, steel, and other higher-cost materials.
- **We support the inclusion of a fee-in-lieu for both residential and commercial development in mixed-use areas.** Fee-in-lieu can provide flexibility for projects to contribute to affordable housing when unit performance is not possible. This can also generate resources for Bellevue to support lower-income affordable housing projects in other parts of the city.
 - **We challenge the city to ensure that the fee-in-lieu calibrations balance a mix of unit performance and payment.** This means that fee levels must have some parity with the affordability level of the rent-restricted units.
 - **We believe the staff recommended fee schedule is set too low.** If HOMA ultimately requires a lower AMI level for units compared to Wilburton, then the fee-in-lieu level for HOMA would need to be set higher to achieve parity.
 - *Lower unit AMI = less monthly rent compared to market rate units = greater gap in development costs for the affordable units = need for higher fee-in-lieu to close development gap*
- **We oppose the inclusion of a catalyst program in HOMA.** Unlike Wilburton, the areas under consideration in HOMA are already part of established neighborhoods with services and activity. There is less need, then, to catalyze development.
- We agree with other aspects of the staff proposal that support development overall and affordable housing. Specifically, we support:
 - Adding "affordable housing" to the Downtown Amenity Incentive System, without implementing a requirement there.
 - Adding affordable housing incentives/bonus to community mixed-use design districts (for every 1 square foot of affordable housing, four square feet for residential FAR can be exempted up to 1 FAR).
 - Exempting the proposed uses from community mixed-use design districts (grocery stores, childcare, nonprofits, affordable commercial space, open space).
 - Do not include stepback requirements below 80', even in transition zones—this will cause deep feasibility issues for housing in mid-rise, which is considered the most economical form of construction.

Thank you for considering our comments and centering affordable housing in your discussion of HOMA. We invite Commissioners and staff to engage with EAHC members as this process moves forward to a hearing.

Sincerely,
Eastside Affordable Housing Coalition & HDC

Nesse, Katherine

From: David Hsiao <dhhsiao@rainiernw.com>
Sent: Tuesday, September 9, 2025 3:02 PM
To: PlanningCommission
Cc: Khanloo, Negin; Lu, Jonny; Goeppeler, Craighton; Kennedy, Mariah; Villaveces, Andres; Nilchian, Arshia; Ferris, Carolynn; Menard, Mathieu
Subject: Comments on HOMA
Attachments: BellevuePlanningCommission_Letter_RNWU_090925.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[Some people who received this message don't often get email from dhhsiao@rainiernw.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.

Dear Members of the Bellevue Planning Commission,

Attached please find our comment letter on the HOMA legislation.

Thank You,

David

September 9, 2025

Via Email (planningcommission@bellevuewa.gov)

Bellevue Planning Commission
450 110th Ave NE
Bellevue, WA 98004

Re: *Proposed HOMA Code Amendments*

Dear Planning Commission:

I am writing as the representative and one of the members of the ownership group of the Newport Hills Shopping Center to provide comments on the latest draft Housing Opportunities in Mixed-Use Areas (HOMA) Land Use Code amendments scheduled for a Study Session on September 10.

We are pleased that the Code amendments largely succeed in implementing the City's vision for the revitalization of Neighborhood Centers such as Newport, as expressed in the Comprehensive Plan update adopted in December. Consistent with that vision, the proposed implementing Code amendments will allow the Shopping Center to transition from a 1960s-era low-density, auto-focused strip mall into a vibrant, pedestrian-friendly, mixed-use area that can serve as both a community gathering space and a location for new affordable and market-rate housing, with complementary retail and dining opportunities.

Below is some background information about the Shopping Center, a summary of the Code amendments we are happy to support, and one suggested change we propose to increase the number of potential options available to create the type of workforce housing that the HOMA legislation is intended to encourage. If it would be helpful, I would be happy to meet with you personally in the coming weeks to talk further about these comments, and the type of residential housing and mixed-use gathering place the HOMA amendments will enable. To assist in that conversation, we are attaching some visuals of the type of space that we envision and that the Code amendments would facilitate bringing to fruition over time.

A. Property Background

The Newport Hills Shopping Center was developed in the 1960s at a time when the surrounding neighborhoods were also being subdivided and developed with low-density single-family residences. The Shopping Center served the neighborhood well for decades but like many other shopping centers of that era, it is now well beyond its useful life and primed for redevelopment with a fresh urban vision. As you will see from the image below, there is currently a large area of surface parking that is rarely utilized and creates a large and uninviting

distance between sidewalks and the retail areas and dining establishments. The ownership group has long recognized the need to redevelop and revive the area, and in partnership with commercial developers has made past attempts to re-develop the site, but current zoning limitations for the Neighborhood Business (NB) zoning district create significant restrictions and impede the type of mixed-use development that can both thrive economically and serve the neighborhood. As a result, the site remains underutilized, provides no community open space or public amenities, and is unable to provide affordable or market-rate housing.



B. New Future Land Use Map Designation (FLUM) in Bellevue Comprehensive Plan

The Comprehensive Plan update adopted in December laid the foundation for making the needed changes to the NB zoning standards. Under the Future Land Use Map (FLUM) adopted with the Comprehensive Plan, the Newport Hills Shopping Center is now designated Lowrise 1 Mixed Use, the purpose of which is to provide for a broad mix of housing, retail, services, office, and other complementary uses.

The Comprehensive Plan also designated the Shopping Center as one of the City's "Neighborhood Centers," which, consistent with the FLUM designation, are envisioned as mixed-use areas within neighborhoods that are otherwise primarily residential. The Comprehensive Plan's land use policies recognize that Neighborhood Centers serve "multiple roles," including "gathering places" with pedestrian-accessible retail and commercial services, alongside higher-density residential housing. Comprehensive Plan at LU-5 and Policies LU-16, LU-18.

These policies align with what the ownership group has long envisioned for the Newport Hills Shopping Center, as do the following additional Comprehensive Plan policies.

Housing NH-2.1. HO-11. HO-63. ED-18.	<p>There is a need to provide a wide range of housing types at all income levels that cater to a variety of Bellevue residents. City staff have identified need for affordable housing, middle income housing, senior housing, and family-sized housing.</p> <p>Large sites in neighborhood centers when paired with appropriate development standards can provide a diverse range and mix of housing that advance equitable housing opportunities to everyone.</p>
Open Space and Tree Canopy LU-3. NH-2.3. CL-15. UD-1. UD-2. UD-30.	<p>Multiple policies prioritize increase of open space and tree canopy to foster City's image of "City in a Park". Redevelopment of retail strip malls that are primarily asphalt parking right now can be revitalized to integrate the high quality, active open spaces that draw public in and help create Third Places for people to gather and increase tree canopy.</p> <p>Public amenities like these can only be delivered when supported by enough residential density to offset high cost of building them.</p>
Placemaking LU-16. LU-18. LU-34. NH-2.2. and NH-2.4. ED-25. ED-46. PA-28. UD-49.	<p>Residents of Bellevue value activities that create "Third Places" for the neighbors to enjoy. Placemaking activities that support arts, live music, and generally encourage gathering spaces are increasingly becoming important for the mental health of the residents with increasing work from home trends.</p> <p>Gathering places that support local retail and can deliver neighborhood serving businesses in Low-rise mixed-use areas are possible on larger sites that are supported by appropriate density and incentives. Housing drives the economics of mixed-use projects, not the retail which is, at best, a break-even component of the project. Where substantial amounts of public amenities are required there must be sufficient residential capacity for the project to be economically viable.</p>

C. Support for Key Code Amendments

Under the framework of the Growth Management Act, the City is now required to adopt Code amendments to implement the site's Council-approved FLUM designation, Neighborhood Center designation, and above policies. To accomplish that purpose, Option A of the draft Code amendments contain several modifications to key zoning standards. We are pleased to report that after careful review we believe these provisions, when overlapping completely with MFTE, successfully establish the regulatory groundwork for the type of site redevelopment discussed above. These key modifications include the following:

- *2.0 FAR (tied to mandatory affordable housing).*
- *45-foot maximum base height (tied to mandatory affordable housing), which generally equates to a 4-story building.*
- *An additional 15 feet, for a total of 60 feet, with the provision of an additional 5% of affordable housing. A 60-foot building would be the equivalent of a 5-story building.*

It is important to consider the above FAR and height limits together. With only 2.0 FAR, much of the property will not be able to use the full height limit. That's why our vision for the site includes larger open spaces, internal travel lanes, and some smaller scale buildings.

These Code amendments along with others will allow this site to transition to a compact and pedestrian-friendly Town Center with a variety of housing options, retail uses, dining offerings, and open space, to assist in meeting the City's goals for expanded housing and to meet the needs of the current and future Newport Hills neighborhood.

D. Recommended Modification to Allow Land Transfer to Affordable Housing

Option A contains mandatory affordable housing as part of any future redevelopment. The proposed Code amendments recognize the need for flexibility to accomplish that goal by providing a fee-in-lieu option. Another option currently available in certain zones within the City is land transfer in-lieu. Under the current draft amendments, that option does not extend to HOMA areas, perhaps due to a perception that HOMA areas do not include sites where a land transfer could be provided on the same development site as the market-rate housing. However, due to its significant acreage (6 acres), the Newport Hills Shopping Center is an area where a land transfer of a portion of its site could be an attractive option for workforce housing developers. We request that NB zones be added to the list of zoning districts where land transfer in-lieu is an option.

Thank you for the opportunity to comment, and we again would welcome the chance to meet with you individually to discuss the proposed Code amendments and our emerging vision for this unique site.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Hsiao', with a large, stylized loop at the end.

David Hsiao

Cc: NKhanloo@BellevueWA.gov
ilu@bellevuewa.gov
cgoeppele@bellevuewa.gov
mkenney@bellevuewa.gov
avillavece@bellevuewa.gov
anilchian@bellevuewa.gov
CFerris@BellevueWA.gov
MMenard@bellevuewa.gov

ATTACHMENTS
NHSC Vision

Introduction - What we want to achieve and why

Create an Ideal Neighborhood Serving Village Center!

- Current property uses and buildings are at the end of their viability.
- Local ownership for 40 years, looking to develop a legacy project.
- 5.9 Acres is large enough to craft an all-new environment that that can exemplify the 2024 Comprehensive Plan's goals and policies for Neighborhood Centers.
- Perfect location for a community "Third Place" with a town square surrounded by cafes and boutique retail.



Character

- Community Identity
- Town Square
- Coffee
- Gathering
- Socializing
- Celebrating
- Games
- Farmers Market
- Livable, Walkable & Lovable



Character & Activities

- Ice Cream
- Bandstand
- School Rally
- Playground
- Frisbee
- Local Events
- Restaurants
- Pub
- Chess
- Community Clubs
- Housing Choices



Key Bellevue 2044 Comp Plan Policies that NHSC Achieves

Housing NH-2.1. HO-11. HO-63. ED-18.	<p>There is a need to provide a wide <u>range of housing types</u> at all income levels that cater to a variety of Bellevue residents. City staff have identified need for affordable housing, middle income housing, senior housing, and family-sized housing.</p> <p>Large sites in neighborhood centers when paired with appropriate development standards can provide a diverse range and mix of housing that advance equitable housing opportunities to everyone.</p>
Open Space and Tree Canopy LU-3. NH-2.3. CL-16. UD-1. UD-2. UD-30.	<p>Multiple policies prioritize increase of open space and tree canopy to foster City's image of <u>"City in a Park"</u>. Redevelopment of retail strip malls that are primarily asphalt parking right now can be revitalized to integrate the high quality, active open spaces that draw public in and help create Third Places for people to gather and increase tree canopy.</p> <p>Public amenities like these can only be delivered when supported by enough residential density to offset high cost of building them.</p>
Placemaking LU-16. LU-18. LU-34. NH-2.2. and NH-2.4. ED-25. ED-46. PA-28. UD-49.	<p>Residents of Bellevue value activities that create <u>"Third Places"</u> for the neighbors to enjoy. Placemaking activities that support arts, live music, and generally encourage gathering spaces are increasingly becoming important for the mental health of the residents with increasing work from home trends.</p> <p>Gathering places that support local retail and can deliver neighborhood serving businesses in Low-rise mixed-use areas are possible on larger sites that are supported by appropriate density and incentives. Housing drives the economics of mixed-use projects, not the retail which is, at best, a break-even component of the project. Where substantial amounts of public amenities are required there must be sufficient residential capacity for the project to be economically viable.</p>

Development Potential –Town Square Public Realm



Nesse, Katherine

From: Ariel Davis <ariel.z.davis@icloud.com>
Sent: Tuesday, September 9, 2025 6:28 PM
To: Kennedy, Mariah; Nilchian, Arshia; Khanloo, Negin; Lu, Jonny; Goepppele, Craighton; Villaveces, Andres; Ferris, Carolyn; Menard, Mathieu; PlanningCommission
Subject: More housing, more transit

Follow Up Flag: Follow up
Flag Status: Flagged

[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.

Hello planning commission members,

I'm a resident of Bellevue and I am in full support of building more homes in our city, especially when the homes are near current or future transit and amenities.

I support things like:

1. Removing parking minimums. Not everyone owns a car, and parking spaces and garages take up room that could be better used on more housing units, shops, public space, or basically anything else.

Our transit system and bike network is growing and we should be encouraging people to use those transport options.

2. Removing exclusionary zoning. Let people build ADUs or convert their property from a single family home to a duplex or triplex if they want.

3. Ensure middle housing is possible and viable to build across the city.

Today I notice a stark dichotomy between the low density single family areas and high density 5 over 1s and residential towers. I believe our current regulations make it such that only way developers can make money is to buy up many adjacent properties and develop them into a large apartment building.

This is a valuable and necessary housing type, but it shouldn't be the only other option other than single family homes. We should make sure it's possible and profitable to build medium density housing too.

4. Don't bog down new housing with too many requirements.

I understand there are various programs to require developers to make some percent of new units "affordable" or else pay a fee or something like that. There are also sometimes requirements like ensuring the new houses are built with climate friendly materials and such.

To be clear, I agree that housing should be affordable and climate friendly. That's actually why I'm suspicious of extra requirements being put onto new housing developments.

For example, let's say a local builder wanted to buy up a few low density properties near a frequent transit stop and turn them into townhomes or apartments. This would be a large increase in the number of families that could live near convenient transit and daily amenities. Those families, who wouldn't have been able to live there were it not for this project, will now drive less, helping the environment. And because there is more supply of housing now, the overall price of housing will be lower than if the project was not done.

But if we told the builder that they had to use more expensive climate friendly materials in building the homes, or that they weren't allowed to turn a profit on some percentage of the units because those units had to be "affordable" unit, then the builder might have decided they wouldn't be able to make enough money on the overall project and not do the project. This is a travesty.

The reality is, even when a new development comes in that's 100% "luxury" apartments marketed towards high earners, that still helps decrease everyone's housing costs, because the higher earners can go live in the new fancy apartments and other people can live in the units that the high earners used to live in. This is a well known and well studied phenomenon: <https://www.sciencedirect.com/science/article/abs/pii/S0094119021000656>

See also my previous comments on a similar matter: <https://azdavis.net/posts/middle-housing/>

Thank you.

Ariel

Nesse, Katherine

From: Linda Haller <linda_haller@hotmail.com>
Sent: Tuesday, September 9, 2025 1:48 PM
To: PlanningCommission
Cc: Kennedy, Mariah; Nilchian, Arshia; Khanloo, Negin; Lu, Jonny; Goepppele, Craighton; Villaveces, Andres; Ferris, Carolyn; Menard, Mathieu
Subject: HOMA comments as related to the Newport Hills Shopping Center

You don't often get email from linda_haller@hotmail.com. [Learn why this is important](#)

[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.

September 9, 2025

Bellevue Planning Commissioners-

I have lived in Lake Heights for many, many years. I am writing to add my voice of support to those of the Newport Community Coalition. We represent the four neighborhoods of Newport Hills, Lake Heights, Greenwich Crest and Newport Shores and we are all very excited to see our neighborhood shopping center finally be able to be redeveloped.

I am supportive of adding housing and I am supportive of making sure we provide housing for new families and those folks who spoke during the middle housing issue who work in Bellevue but can't afford to live here. I have many friends whose kids can't afford to live in our neighborhood and that is just not ok.

I know you have heard the opposition voices who have been fighting the concept of a new shopping center for years. I hope now you will hear our voices of support. I support 3-5 stories. I support new housing and housing that is affordable. I support a shopping center that we can all be proud of – our neighborhoods deserve that.

Thank you for your work on the Planning Commission. I know it's a lot of work. I hope you will move HOMA forward so that my supportive neighbors and I can finally see a new neighborhood shopping center.

Thank you –
Linda Haller

Nesse, Katherine

From: Dan Nygaard <draagyn11635@gmail.com>
Sent: Wednesday, September 10, 2025 4:46 PM
To: PlanningCommission
Subject: Support for HOMA

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from draagyn11635@gmail.com. [Learn why this is important](#)

[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.

I am writing to offer my continued support for HOMA as it relates to the redefined development standards for the NB zone as presented by City of Bellevue staff. There is still more work to do to get all the details hammered out – especially since the NB zone applies to several areas in Bellevue – not just Newport Hills. The low-rise mixed use 1 designation, which allows for 3-5 stories, is very appropriate for the Newport Hills Shopping Center.

As a reminder – about 15 years ago, the City of Bellevue asked the ownership group of the Newport Hills Shopping Center to conduct a feasibility study of what the shopping center could and should be for the future. The study concluded that a mixed-use development with housing, neighborhood retail and restaurants was appropriate for the site.

My wife and I have lived in Newport Hills for over 20 years. We are very excited for new opportunities to come for the Newport Hills Shopping Center. I am particularly excited about the ownership group's vision for different types of housing, open space, gathering places, retail, and restaurants. This will create a truly walkable community gathering place the whole neighborhood can enjoy.

Please do not be fooled by the negative rhetoric by the Newport Hills Community Club (NHCC). NHCC represents only 1-2 percent of the neighborhood. And of those who are members of the NHCC, people like me do not support their point of view. There are far more residents who support the Newport Hill Shopping Center redevelopment, but their voices are not as loud.

I urge you to support HOMA so we can finally move forward on redevelopment of our neighborhood shopping center.

Thank you,

Dan and Cheryl Nygaard

Nesse, Katherine

From: Jen Fukutaki <frogamie@comcast.net>
Sent: Wednesday, September 10, 2025 7:10 PM
To: Council
Cc: PlanningCommission
Subject: Request to return the Newport NAP to the Planning Commission

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from frogamie@comcast.net. [Learn why this is important](#)

[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.

To the Council,

I have to ask why the Newport NAP got voted on when there were so many missed chances to get community input (late or non-existent communications and little attempt to actually hear from directly impacted constituents).

You are wanting to make major changes in our area that will favor developers, completely change the neighborhood, clog streets that are already packed from the build out on Coal Creek, and push density without parking.

Our neighborhood doesn't oppose redevelopment. Truly. We oppose extreme upzoning that favors developers and ignores the people who live here. I have to ask if you would do this in other parts of Bellevue with more political clout. I'm guessing not.

You should return the Newport NAP to the Planning Commission for discussion of verbiage changes and policy suggestions with respect to the Newport Hills commercial district.

When you do this, please give us time to be there.

Sincerely,
Jen Fukutaki
Newport Hills

From: Fay Hou <fayhou@gmail.com>
Sent: Tuesday, September 16, 2025 2:37 PM
To: Council; PlanningCommission
Subject: Newport NAP – Inaccurate Data and Harmful Impacts Require Correction Before Adoption

[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.

Dear Mayor, Councilmembers, and Planning Commissioners,

I am writing to urge you not to adopt the Newport Neighborhood Area Plan (NAP) in its current form. The plan's Community Profile contains false data, and real conditions in Newport Hills are being ignored — leaving residents to bear the burden of unchecked investor activity and damaging development.

1. False “80% Homeownership” Claim

The draft NAP states:

Homeowner status: Own 80% / Rent 20% (Source: U.S. Census Bureau, 2018–2022 ACS).

This figure is misleading:

- **Census data does not exist for “Newport Hills.”** ACS only reports by census tracts and block groups. Staff has not disclosed which geographies were aggregated or the margins of error.
- **Survey data lags behind reality.** The 2018–2022 ACS averages five years. It cannot reflect the rapid investor buying and redevelopment happening right now.
- **Local reality is different.** On my street of 22 houses, more than 60% are investor-owned. That is the opposite of what the NAP claims.
- **2. On-the-Ground Impacts**
- The disconnect between the NAP and real conditions is dramatic:
 - **Businesses in single-family homes.** A piano school, a preschool, and a group home all operate out of houses on my block. One rental is owned by a landlord overseas — not legally allowed to enter the U.S. — yet still collects rent with no Bellevue business license or local tax contribution.
 - **Safety risks from construction.** During the project next door, contractors damaged my **gas pipeline** by using machinery to lift it. This was on top of the water intrusion and foundation cracks I've already experienced. These are not just inconveniences — they are dangerous conditions created by a project the City permitted and then failed to oversee.
 - **Lot split at 12530 SE 52nd St.** The City approved dividing one lot into two despite protective covenants recorded in 1960 that run with the land, automatically renew, and have never been amended. The owner received those restrictions in his 2021 title report. Neighbors are now forced to appeal the permit and fight to uphold protections that should have been honored by the City.

- These projects have created **conflict, anger, petitions, and even displacement** — long-time homeowners are moving away because they cannot live with the disruption.

3. Why It Matters

The NAP assumes Newport Hills is a stable, owner-occupied neighborhood. That assumption is false. Building zoning, housing, and infrastructure policies on incorrect data means the plan will not protect current residents or preserve neighborhood character.

4. My Requests

Before adoption, I respectfully ask the Council to:

1. **Return the NAP draft to the Planning Commission.**
2. Direct staff to publish the exact ACS tables, census geographies, and margins of error for the 80% claim — or remove the statistic if it cannot be verified.
3. Amend the NAP to include a policy under S-NP-1 through S-NP-6 requiring the City to track neighborhood-specific ownership using King County Assessor data and parcel-level analysis.
4. Add language directing the City to monitor unlicensed commercial uses and rental practices in single-family neighborhoods to protect stability and fairness.

Newport Hills is one of Bellevue's last affordable neighborhoods. That affordability is why investors target it: buy cheap, bulldoze, flip for profit. This neighborhood is at a critical juncture. The NAP must start with accurate data and clear protections for the people who live here now.

Sincerely,
Fay Hou
Newport Hills Resident

Nesse, Katherine

From: Nesse, Katherine
Sent: Wednesday, September 17, 2025 9:56 AM
To: PlanningCommission
Subject: FW: critical areas code update and housing

Katherine (Kate) Nesse, PhD

Planning Manager & Planning Commission Liaison, Community Development Department

City of Bellevue

Phone: 425-452-2042

450 I 10th Avenue NE, Bellevue, WA 98004

Email: knesse@bellevuewa.gov

Connect with the Planning Commission!

[Learn more about the Commission](#) | [View current and past agendas](#) | [Sign up to give oral comment](#) | [Email the Planning Commission](#)

From: Mandt, Kirsten <KMandt@bellevuewa.gov>
Sent: Monday, September 15, 2025 9:30 AM
To: Ferris, Carolyn <CFerris@bellevuewa.gov>; Nesse, Katherine <KNesse@bellevuewa.gov>
Cc: Johnson, Thara <TMJohnson@bellevuewa.gov>; Whipple, Nicholas <NWhipple@bellevuewa.gov>; Gallant, Kristina <KGallant@bellevuewa.gov>
Subject: Re: critical areas code update and housing

Morning Commissioner Ferris,

Hope you had a lovely weekend! Thank you for reaching out to us on this topic. Staff did get an opportunity to meet and discuss this site with Trammel Crow Residential with one of our land use planners who has been reviewing their preapplication meeting materials. There are a few different aspects of their request that prove challenging to integrate into the draft, particularly at this stage in the project.

The majority of the wetland system on the site to the east and north are actually regulated under the Shoreline Overlay, which adopts the Critical Areas Overlay by reference. Because we are not making amendments to the Shoreline Overlay as a part of this project, any changes to the wetlands regulations would not impact any Shoreline Overlay regulated wetlands on this site. We are next slated to update the Shoreline Overlay by the end of 2029.

Regarding the new zoning designation and development, we feel it is important to keep in mind that, as noted in the e-mail, this designation was only adopted in December of 2021 early on in the COVID pandemic. That site is designated EM-TOD-L, which is the lowest density designation in the overlay district. This was done so by design, given the wetland and creek constraints on the properties with this

designation. Importantly, the EM-TOD-L land use designation's purpose further notes that "*Mercer Slough and the associated wetland complex are Shorelines of Statewide Significance pursuant to RCW 90.58.020, which places the statewide interest over local interest and the preservation of the natural character above all other use preferences. Based on the presence of these natural systems, this district is intended to be supported by transit use and access, but at a lower intensity.*" The intention there is that this area really isn't one that is intended for more dense development and it was never envisioned that a lot of development would occur in this area because of the critical areas in the Shoreline Overlay.

Some of the codes referenced in other eastside cities are in their current critical areas codes, all of which are undergoing review and update just as ours is. One, for example, that was noted is from the City of Woodinville. In the most recent draft ordinance reviewed, one of the provisions requested by Trammel Crow has been removed. One of the other requests relates to allowing for the filling of the Category III wetlands in the parking lot. We currently do have allowances for wetland filling for allowed uses, however their design is a request to fill wetland area to be used as surface parking, which is not an allowed use and also not a use we would want to allow in association with filling a wetland, particularly in a TOD focused area.

Finally, given the timing of this request while we are gearing up for potentially the last study session ahead of a public hearing, our staff that is working on the environmental review and SEPA checklist have concerns that these represent significant enough shifts from the current draft that it could delay the environment review process for additional review, which would also delay the timeline for the project, which is quite tight as is.

Thank you again for reaching out on this topic, and please let us know if you have further questions or would like to meet and chat through this or anything else on the CAO LUCA.

Kirsten



Kirsten Mandt

Senior Planner, Code & Policy
Development Services, City of Bellevue
(She/Her)

[425-452-4861](tel:425-452-4861) | kmandt@bellevuewa.gov | BellevueWA.Gov
[Take our Survey](#)

From: Jessica Roe <jroe@mhseattle.com>

Sent: Friday, September 12, 2025 3:43 PM

To: Ferris,Carolynn <CFerris@bellevuewa.gov>

Cc: Mark Hoyt <mhoyt@crowholdings.com>

Subject: critical areas code update and housing

You don't often get email from jroe@mhseattle.com. [Learn why this is important](#)

[EXTERNAL EMAIL] Use caution when clicking links or opening attachments.

Commissioner Ferris,

We are working with Trammell Crow Residential on a proposed new 321 unit multifamily community in the EM-TOD zone (the Gateway Office building at 1400 SE 8th Street). We have reached a sticking point with degraded wetlands that are within the existing office parking lot under the City's current code. We believe there are two updates that could be included in the City's critical areas ordinance update that could facilitate housing within degraded wetlands or interrupted buffers like parking lots, while preserving and enhancing higher functioning critical areas on the majority of the site. Our proposed updates are consistent with Department of Ecology guidance and already incorporated in peer city codes on the east side, so we view this as a win-win policy choice for housing and critical areas enhancement.

The new EM-TOD zone has seen no new housing development since its implementation in 2021 and we believe most of the properties in the zone may encounter similar issues with the critical areas code. We have shared our proposed code updates with City staff and they are considering them. In the meantime, we'd like to share the proposal with you prior to your September 24th Planning Commission study session on the critical areas code update.

Would you have any availability sometime next week to meet on this? We're happy to do zoom or in-person, 30 minutes or less would be great. We can share more information before then.

Thanks in advance.

Jessica

cc- Mark Hoyt, Trammell Crow Residential

Jessica L. Roe

Partner

McCULLOUGH HILL PLLC

701 Fifth Avenue, Suite 6600

Seattle, Washington 98104

Direct: 206.812.6950

Cell: 303.915.9492

jroe@mhseattle.com

www.mhseattle.com

NOTICE: This communication may contain privileged or confidential information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.